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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Chris Justice, Pastor of Lee Park Church in Monroe, NC.

The guest Chaplain offered the following prayer:

Let us pray.

Father in Heaven, Your Name is great. You are sovereign and holy. You offer Christ-centered salvation and peace. You are ever present in our time of need.

We thank You for the great gift of the United States of America. We ask You to protect, guide, and direct the Members of the U.S. Senate.

For all the issues that might divide us, I pray that Your Spirit would enlighten us and convict us to fulfill Your call to love one another as You have loved us.

May it be true that in all our ways we would acknowledge You so that You would make our paths straight. May it be true that we would desire and actively pursue that Your will be done and Your Kingdom come, on Earth now as it is in Heaven. May it be true that we would be careful to give You all the praise, honor, and glory due You.

We pray to You and we praise You in Jesus's Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HELLER). The Senator from North Carolina.

WELCOMING THE GUEST CHAPLAIN

Mr. BURR. Mr. President, I rise today to welcome a constituent, the senior pastor of Lee Park Church in Monroe, NC, Chris Justice, to the Senate.

Chris's story is an inspiring one. In 2005, Chris was a well-known broadcaster on dual television stations in Charlotte, NC. In November of that year, Chris was called by the Lee Park Church, a congregation of 50 faithful, at which time he committed to be their pastor and to split his time between the church and being a broadcaster.

Chris kept that pace up for the next 3 years as he grew a church. He understood that God's calling was to the church and to service, not necessarily to broadcasting.

Let me just say that Pastor Chris has grown that church to a lively congregation that is involved in their community. His senior leadership there has provided the nurturing that is needed for a community to find their calling in life as part of that church. From the beginning of his career as a news anchor, Chris always wanted to give back and to be part of the community. He is surely doing that today.

Today, Pastor Chris continues to do so, and he has followed the simple strategy that remains the mission of the church—preach the word and love people. I think that sums up Pastor Chris—preach the word and love the people.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I appreciate the comments of my colleague, the senior Senator from North Carolina. I welcome Pastor Chris, his lovely wife, and friends of the Steward family who came to visit this great Capitol and to grace us with his presence.

I will give you a different story. I have been to Lee Park. I was there for an annual event, and I was invited

there to be a pimento cheese judge. Let me warn you never to volunteer to taste 29 different varieties of pimento cheese.

Pastor Chris has said that they have refined the event now, but what struck me most about that event is how much the people who were at that event love Pastor Chris and love the Justice family.

You have done a great job in Monroe. We thank you for your service to the great citizens of the State. We thank you for your service to this great body today.

Thank you, Mr. President.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, after much deliberation from both sides of the aisle, today we will complete our work on the Energy and Water appropriations bill. We know this bill is the result of a great deal of effort, research, and collaboration across the aisle. It passed out of the committee unanimously. It was subject to nearly two dozen amendments from both parties on the floor. As Senator ALEXANDER pointed out yesterday, we have clearly had an open process from the start that benefited both sides.

The energy security and water infrastructure bill is important for our country. We know it will support commerce, public safety, waterway infrastructure, energy innovation, and our nuclear deterrence posture.

We know it is important for the way forward on appropriations as well. Remember, following regular order—especially on the appropriations process—allows both Democratic and Republican Members to better represent their

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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constituents' views. It provides for more open debate and deliberation. It offers a path to reaching a kind of product both sides can support. Empowering Members to make more judicious decisions about how taxpayer dollars are spent is something we should all want. So we know the appropriations process is important.

I urge my colleagues to work together to keep moving these appropriations bills as both sides have expressed interest in doing.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DONALD TRUMP AND THE REPUBLICAN PARTY

Mr. REID. Mr. President, today the Republican Presidential nominee—it is hard for me to say these words—Donald Trump, comes to Capitol Hill. He secured the party's nomination. He did that last week. Donald Trump will meet privately today with Speaker RYAN and Republican Leader MCCONNELL. It is just the latest sign that Republican leaders in both Houses are marching lockstep with Donald Trump.

Senator MCCONNELL has fully embraced Donald Trump. He said last week when Trump secured the nomination: "I have committed to supporting the nominee chosen by Republican voters."

While speaking with reporters earlier this week, the Republican leader sounded enthusiastic about Trump's chances in the general election. I guess he should be giddy about a Trump Presidency. Donald Trump is everything the Republican leader and his party could ever want in a nomination.

Trump's policy decisions are identical to the Republican Party platform. Today, when they meet in an hour or two, Senator MCCONNELL can discuss that consensus with Trump.

Let's talk about the Supreme Court. Donald Trump and the Senator from Kentucky can talk about their obstruction—for the first time in the history of the country—to a Presidential Supreme Court nomination. It has never happened before. We have had some stalling and a couple of filibusters, but this is one where people didn't want to meet with him. A few of them have broken from that. They certainly don't want to have a hearing, and they don't want to vote.

It was Trump who said Republicans should "delay, delay, delay" filling the Supreme Court vacancy. Following Trump's lead, the Republican leader has personally overseen the blockade of Judge Garland's nomination, forcing Senators to fall in line.

Let's talk about Trump and women. When they get together they can talk about their policy about being anti-woman. Since Senator MCCONNELL has so enthusiastically embraced Trump,

we can only assume he agrees with Trump's view that women are dogs and pigs. We can only assume that the Republican leader is not repulsed by Donald Trump's vulgar behavior towards women. Look at the New York Times story yesterday with his cavorting with Howard Stern and how they talked about women.

After all, the Republican Party has spent years blocking every substantive bill for American women—equal pay for equal work. This Republican Senate has undermined women's health at every turn, trying to turn Planned Parenthood into a punching bag—even though millions and millions of American women have been helped by Planned Parenthood.

They will have an opportunity this morning to talk about the anti-Latino vote. They can discuss their anti-immigrant policies and their agenda. Since the Republican leader is all in for Donald Trump, we can only assume that he approves of Trump's calling immigrants rapists and murderers, and the DREAMers as being mules for drug dealing.

I assume they can have a long discussion about the wall—how high it should be, how they are going to get the Mexicans to pay for the wall—even though most people think the idea is insane.

Let's not forget Republicans have demagogued Latinos and immigrants for decades. They are doing it today.

The Republican leader voted against comprehensive immigration reform.

Under Senator MCCONNELL's leadership, Senate Republicans almost came within hours of shutting down the Department of Homeland Security because of President Obama's executive actions on immigration.

They can talk about their outlook on families. Donald Trump and the Republican leader can mention how little they have done for American families. Except now, in today's news, they are going to cut Medicaid and Medicare. I guess that is because he is getting lined up for the meeting with PAUL RYAN, because that is his No. 1 issue.

Since the Republican leader has firmly established himself in Donald Trump's corner, one can only assume he is OK with Trump's shady business practices. He doesn't mind that Donald Trump rips off hard-working Americans, filed bankruptcy many, many times, and has a university that is corrupt. And the trial will go forward during the election.

Sadly, a disregard for the middle class is an all-too-familiar position for today's Republicans. The Republican Party refuses to address the minimum wage, college affordability, or any other legislation that helps families.

Here is a doozy. They can spend a lot of time talking about climate change. Trump and the Republican leader can, in this private conversation, talk about denial of climate change. But 97 percent of all scientists worldwide believe it is here. It is upon us. Ask the senior Senator from Florida. He will tell you

it is here. Look at what is happening in Miami. You can talk to the Senators from Virginia, and they will tell you what is happening in military bases on the coast of Virginia.

Donald Trump's highest ranking supporter in Congress, Senator MCCONNELL, assumingly agrees with Trump that climate change is a hoax—here is what Trump said—perpetrated by Chinese manufacturers. That position fits with a Republican Party that refuses to acknowledge the environmental and national security threats posed by climate change. If elected, Trump and Senator MCCONNELL would lead the nation backward on a climate change denial agenda that would put polluters first and make the United States the laughingstock of the world.

More than 170 countries have agreed to address climate change because of U.S. leadership, but Trump and MCCONNELL have stated publicly that they will walk away from this.

Let's talk about what Republicans like to talk about—what is happening with the economy—keeping in mind that Bill Clinton balanced the budget. Keep in mind that when George Bush came to the Presidency, there was a \$7 trillion surplus over 10 years. With two wars unpaid for costing trillions of dollars and with tax cuts not being paid for, that surplus has long since gone.

So they can talk about that. They can talk about how Trump has said that he thinks America should default on its debt. Just get the people we owe money to take less money. That is what he said. He doesn't want to pay our national debt. It seems that, on that issue, there is little distance between him and the Republican leader.

Senator MCCONNELL has presided over a Republican caucus that has taken America to the brink of default on a number of occasions, not the least of which is shutting down the government—this great government—shutting it down for 17 days—closed, out of business.

So Donald Trump and the Republican leadership should have a long, long conversation. They have a lot to talk about. At some point in the conversation, Donald Trump should thank the senior Senator from Kentucky. Trump owes his candidacy to the Republican leader and the policies he has led. It was the obstructionist, anti-woman, anti-Latino, anti-Muslim, anti-middle-class, anti-environment, anti-Obama, anti-everything Republican Party during the last 8 years that has made Donald Trump a reality.

I note that no one is on the floor. Will the Chair announce what the Senate is going to do this morning.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, equally divided, with Senators permitted to speak therein.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the time of the Republicans and the Democrats be preserved. No one is here, but we should preserve that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I think the order already is that the time will be equally divided. If that is not the case, I ask that that be the case.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Mr. President, on March 10, this body, the U.S. Senate, passed legislation to address what is a growing problem in all of our communities, and that is the heroin and prescription drug epidemic.

On March 10, this body voted for a comprehensive bill called CARA, the Comprehensive Addiction and Recovery Act. It deals with prevention, treatment, and recovery, helping our law enforcement, getting prescription drugs off the shelves of our bathrooms so they are not being used to get people into this addiction, and helping to stop the overprescribing with a drug monitoring program. This was a comprehensive approach intended to help our communities deal with this growing problem. The No. 1 cause of death now in my home State of Ohio is not car accidents anymore, it is overdoses. It is overdoses from prescription drugs and heroin.

Since March 10, I have come to the floor four times—this is now the fifth time—every week we have been in session since then, to urge the House to act quickly on CARA, because with a 94-to-1 vote, with that kind of consensus built around this place, which is

highly unusual, it shows that this is a problem in all of our communities and all of our States. We spent 3 years putting together the legislation. We worked with experts from all around the country. We sought out best practices. This is not just a matter of throwing more money at a problem, this is a matter of taking the resources in Washington, spending them more wisely and targeting them toward what we know works—toward evidence-based programs, prevention, treatment, and recovery that has actually shown promise to be able to begin to turn the tide on this horrible epidemic.

The House has begun to act, and I am encouraged by that. Obviously, I wish they had taken up CARA right away and sent it to the President. I think it would have been already helping in our communities in significant ways.

During the time between when the Senate acted, March 10 to now, we have lost 7,400 Americans to drug overdoses. We lose a fellow citizen every 12 minutes on average, but the House is moving, and yesterday the House passed, legislation in the form of over a dozen different bills, smaller bills that will help with regard to this problem that I think are steps in the right direction.

Today they are planning to take up a more comprehensive bill, the CARA legislation, that has also been reported out of the Judiciary Committee—as it was in this body—and perhaps a couple other bills as well. I am told that vote is likely to occur today, and that is great. I am concerned the legislation that passed in the House still leaves some gaps, and those gaps are in some significant areas. I am hopeful some amendments will be adopted today to help fill some of those gaps so we can indeed have a comprehensive approach to this issue.

Sadly, this issue is not getting better; it is getting worse. The U.S. Drug Enforcement Administration just last week conducted their National Drug Prescription Take-Back Day, where you take drugs off the shelf and put them into a disposal unit to get rid of them so that your kid or grandkid or somebody visiting your home doesn't get these prescription drugs and misuse them. They had a record number of drugs turned in, 893,000 pounds of unwanted medicine; that is, 447 tons of prescription drugs that were not needed. I am grateful for those who participated in the take-back program. This is good news, to get these drugs off the shelves and be sure they are not being misused, but unfortunately that is just the tip of the iceberg, and it shows the severity of this problem.

We have continued to see communities throughout my State and throughout the country being torn apart by this issue and families who are being devastated. Last week, a man pled guilty to involuntary manslaughter in Columbus, OH, because his infant son had ingested fentanyl-laced heroin and died. Last week, we also saw the arrest of three people who

drove to Steubenville, OH, to buy heroin, and then while driving they used it in the car with a 4-year-old with them. This all happened in the last week. Last week, a 23-year-old pregnant woman and her unborn child were found dead of an apparent overdose in New Carlisle, OH. Yesterday, an Akron man pled guilty to selling heroin to his uncle who subsequently died of an overdose. In Cleveland, we have lost 148 people to drug overdoses in just the first quarter of this year. That is double—double—last year's rate in Cleveland, OH—one town in one State.

By the way, the plurality of these deaths is that a majority were from fentanyl—fentanyl often laced with heroin. Fentanyl is a synthetic heroin that is about 50 times more dangerous. It is a growing problem in my State of Ohio.

Unfortunately, these headlines are just the tip of the iceberg. We see this death toll rising, and it is tragic, but we also need to focus on the wounded, not just those who overdose but those who, because they have this addiction, have lost their job, cannot get their lives back together, are separated from their families. As one recovering addict told me: The drug was everything. I abandoned my kids, my wife.

These are also people who are ending up in our jail system. Prosecutors back home tell me the majority of the crime—one county prosecutor told me a couple of weeks ago, 80 percent is being committed because of this issue—so theft, stealing in order to pay for a habit, and ending up in the prison system. All of us are paying for that of course.

Everywhere I go in Ohio, people tell me about how this epidemic is affecting them. I had a townhall meeting the week before last, a tele-townhall with 25,000 people on a phone call. We do these once a month. A gentleman called in and he wanted to talk about the CARA legislation. He seemed to know a lot about it. He focused on the treatment part of it. His voice had a quiver.

So I asked him: Would you mind sharing? You are on the line with a lot of people, but would you mind sharing why you are so interested in this issue? Again, he was focused a lot on the treatment side, and there was silence on the line. I knew what he was going to say.

When he came to the point where he could speak, he said: I lost my daughter. Then he proceeded to tell the story. It was of a child who had started with prescription drugs, ended up with heroin, had committed some crimes—probably theft—ended up in and out of prison. She had finally come to the point where she was willing to face up to her addiction. She was ready to go into treatment to start long-term recovery. She had committed this to her parents. He said they took her to the treatment center. There was a 14-day wait. They pleaded: Can she get in someplace else? No; no room at the inn

and a 14-day wait. During those 14 days is of course when she overdosed on heroin.

His point was very simple: You guys need to do more to help provide access to treatment and the right kind of treatment. That is what this legislation does.

Last Tuesday, I spoke at an opiate conference, the Ohio Association of County Behavioral Health Authority's annual meeting, with record attendance this year of over 1,000 people. I heard from doctors, nurses, counselors, social workers, attorneys, law enforcement, all saying the same thing to me, which is: ROB, this problem is not getting better. It is getting worse.

Washington does have a role to play, to be a better partner with State and local government and with the non-profits that are in the trenches dealing with this issue every day. The Kaiser Family Foundation last week released a survey that showed that 44 percent of the public knew someone who struggled with addiction to opioids. Of those 44 percent, one in five said it was a family member; one in five said it was a close friend; one in five said it was an acquaintance; two-thirds overall said they want the State government and the Federal Government to do more about this addiction epidemic. Of course they do. People are desperate to figure out how to get at this issue.

Again, our approach is evidence-based. It is based on the testimony of the experts around the country. It is based on best practices, what is working what is not working. Is Washington going to solve this problem? No, but we are part of the solution. It is going to be solved in our communities and in our families. We can turn this tide. We have in the past. We can do it again. The question is whether we are serious about it and whether we can move this legislation through the House, through the Senate, get it to the President, and get it working in our communities.

In countless parts of Ohio, at the State and local level, people are taking action. I am encouraged by that and I applaud them for it. In my hometown of Cincinnati, the police force at the University of Cincinnati is now carrying Narcan and getting training to know how to use it. By the way, that is in this legislation to provide training to ensure people aren't just getting the naloxone, that they know how to use it. This is a miracle drug called Narcan—naloxone—so that when someone has overdosed, they will be able to bring them back.

I have been in drug treatment centers all over my State, and I have heard the testimony, including a man who told me: I died. I faced my own death. I saw my father in Heaven. I was gone. Narcan brought me back to life. That is why I am in this treatment center, because that is how I hit rock bottom.

So it is important, but the training needs to include, as you are giving people Narcan to use for their loved ones,

giving it to the police officer to use when they are responding or a firefighter—I would tell you that if you go to most of our firehouses around the country, you will find there are more runs for heroin and prescription drug overdoses than there are for fires. That is true in my State, and it is probably true in yours. But if you are providing Narcan to somebody, you need to give them the ability to tell these people: Here is the treatment center. It is not enough just to save a life from a tragic occurrence like an overdose; we also have to figure out how not to be—as some firefighters and police officers told me—saving that life again and again but instead getting these people into the right treatment and recovery programs so they cannot just have their lives saved but begin to lead full and productive lives.

I am very encouraged by something that happened yesterday. Stephen Stack, the president of the American Medical Association, issued a public letter to physicians. I think this is a major step forward. I don't know Stephen Stack, but I read his letter very carefully because I think he is putting his finger on something that the medical profession has been slow to realize. His letter said this:

[F]ar too often, [opiate addiction] has started from a prescription pad. . . . I call on all physicians to . . . avoid initiating opioids for new patients with chronic non-cancer pain . . . limit the amount of opioids prescribed for post-operative care . . . register and use your state prescription drug monitoring program . . . [and] reduce stigma to enable effective and compassionate care.

That is a step in the right direction. I hope every physician in the country gets a copy of this letter.

We have incredibly compassionate, caring physicians out there, but we need to face the facts. There has been overprescribing, and that is part of the issue. Four of the five people in my State of Ohio who will die from heroin overdoses over this next month will have started with prescription drugs. There is a link here. We need to face it, and the medical profession needs to face it. In the Senate, we have taken action. A 94-to-1 vote is not the typical way things happen around here, as you know. That is highly unusual. That shows the seriousness of this issue.

One of the things I am concerned about in the alternative to CARA that is being voted on in the House today is that it omits some of the key pillars, including a drug take-back program, which I think is important, and prescription drug monitoring programs.

What we have in our legislation is very simple. It gives incentive grants to States to set up prescription drug monitoring programs. Most States have them already, but to have them so they work with other States, we need interoperability between the States.

My own State of Ohio borders many other States, and what they tell me is this: We can have this prescription drug monitoring program for Ohio, but

if someone goes to Kentucky, West Virginia, Pennsylvania, Michigan, or Indiana, we don't know. And if this is in our legislation, that would help. We hope that is added to the House bill.

Prevention, recovery support services—I hope those are being adopted in the House as amendments. If they are not, we are going to work hard to get those included in conference. We are not going to send a bill to the President that is not comprehensive.

With regard to prevention, there are some provisions that were omitted from the House alternative, including a national awareness program to let people know what is going on with prescription drugs. That connection we talked about a moment ago is incredibly important. It will save lives. It will bring people's lives back on track. It will avoid the situation where somebody goes to get his or her wisdom teeth pulled, they are given narcotic pain pills, they end up getting addicted and then move to heroin as a cheaper alternative, and sadly, in some cases—including a father who testified before a congressional committee in Ohio a week ago Friday—die of an overdose. That is what is happening.

Prevention is important. The prevention grants we have are important. They are the most effective way to fight back against this epidemic, in many respects. If we can keep people from getting into the funnel of addiction in the first place, think of the lives that can be saved, the families that can be kept together rather than torn apart, the communities that will not be devastated by this spike in crime.

Think of the impact on our economy and people not going to work. They say there is a \$700 billion economic impact based on addiction.

It is the faces of addiction we care about the most. Think about Marin Riggs from Pickerington, OH. She was a high school student. She was about to graduate. She was very smart. She had good grades. She was a star athlete. She was popular, full of life. It seemed like she had it all. She made a mistake; she tried heroin with her boyfriend. She became addicted. Something changed physiologically in her brain to give her this disease. It is a disease. Her parents started missing money from their wallets. Charges started showing up on her dad's credit card. She tried to quit. She went into rehab. She wrote in her journal that she was heroin's "worst enemy." She was going to beat this thing. But she relapsed. The grip of this addiction is horrible. Her brother found her dead of a heroin overdose 2 weeks after her 20th birthday.

This can happen to any family anywhere. It knows no ZIP Code. It is not an inner-city problem. It is not a suburban problem. It is not a rural problem. It is everywhere. Addiction doesn't ask what your political party is, either. That is why we kept this nonpartisan. It is not just bipartisan.

That is why I hope we can move this legislation quickly to the President and get him to sign it into law, because it is needed right now, and prevention needs to be part of it.

Marin's mom, whose name is Heidi, is letting her voice be heard throughout Ohio. She is educating kids and parents about the dangers of experimenting with drugs. I commend her for that. I am so grateful for her and the other moms and dads around Ohio who are doing that. They are amazing.

Tonda DaRe came to testify before the Judiciary Committee. Her daughter's name was Holly. Holly died when she was in her early twenties. She started Holly's Song. She is talking to people, working with people, families, letting them know what the dangers are but also, if they have a son or child who is addicted, letting them know how to get them into treatment and recovery so that other lives will not be lost.

I have heard stories of these teenagers whose wisdom teeth are being taken out and they end up getting addicted to Percocet and Vicodin. Angie Trend of Lake County is one of them. She told me her son was 16 when he had his wisdom teeth taken out. He is one of the lucky ones; he is now in recovery. He is 25 years old. But the pain and agony that family went through when he was age 16 to 25 could have been avoided.

When I think of these stories, I cannot leave out prevention. It has to be part of it.

I started my own anti-drug coalition in my home State, in my home city, about 20 years ago. It continues to be effective today. It is all about prevention, getting the entire community engaged and involved. That is what needs to happen on a national basis, and it needs to happen now in order for us to save lives.

The approach we took in writing this legislation, the Comprehensive Addiction Recovery Act, was unusual around here. We spent 3 years pulling together experts and getting best practices but also accepting ideas from anywhere where there was a good idea. We didn't care whose idea it was; all we cared about was whether it worked.

I know that these statistics about heroin addiction and overdoses are heartbreaking. They can be pretty discouraging. But I also know there is hope. I have run into people from our State who have struggled with addiction and who have found their way to treatment and effective recovery—usually it is long-term recovery—with support from family and friends and others who have been through addiction. Now they are back on their feet, and they are not just productive, working members of our communities, but they are helping others.

I heard the story of Courtney Golden. She was addicted to oxycodone. She received treatment and has been clean for 7 years. She is now the director of an outpatient counseling center. I

heard the story of Terri Skaggs of the Sojourner House in Portsmouth, OH. She was addicted for 17 years, but after 17 years, she didn't give up. She has now been clean for 2 years. They beat this, and they are helping other people. I see this at every treatment center I go to.

There is hope. We can turn the tide, but it does require this institution to pull its act together and get a good bill out of conference that is comprehensive, that is evidence-based, that is going to make a real difference throughout our communities, and get that bill to the President for his signature.

We have lost more than 7,400 Americans since the Senate passed this legislation on March 10. Every 12 minutes, we lose another American, another one of our fellow citizens. Partial solutions will not suffice. We need a comprehensive approach. I will insist on it, as will others.

I thank the Presiding Officer for the time today. I am encouraged by what the House is doing on the floor. I hope the next time I come to the floor, I will not be talking about how the House must act but, rather, congratulating the House for acting and congratulating the President for signing a legislative initiative that will make a difference in my home State and in our communities all around this country.

I yield back my time.

THE PRESIDING OFFICER. The Senator from Indiana.

MR. COATS. Mr. President, I appreciate the remarks my colleague from Ohio made about this opioid issue and the impact it is having on our citizens and particularly on our young people. I support his significant contributions and efforts in terms of dealing with this problem. It is affecting my State, his State, and all of our States.

We are passing legislation to deal with it, but it is going to take more than legislation; it is going to take an all-out effort by everybody. To watch our kids, our children, our young people, and Americans become addicted and victims of this scourge that is taking place is disheartening, to say the least. We need to do all we can to address that. Our State is trying to do that and making some significant steps forward. We all have a long way to go.

WASTEFUL SPENDING

MR. COATS. Mr. President, that is not why I am here today. I come down every week, as my colleagues know, to talk about the waste of the week. While I am dealing with documented evidence of the waste of taxpayers' money through waste, fraud, and abuse and while we have totaled up well over \$150 billion of documented waste, it is only a pebble in the sea, a grain of sand compared to what we are doing by allowing deficit spending to plunge us ever more into debt.

Without a constitutional amendment to balance the budget, this body has

not had the discipline to match our spending with the revenues that come in or the political will to go to the American people and say: If you want this much government, this is how much it is going to cost. Instead, we say: We will give you what you want, and we will borrow the money to cover it because we don't have the tax revenue. And we don't have the will to say: We have to raise your taxes if this is what you want. It has put us in a dire situation from a financial standpoint. It is not talked about as much as it should be. But when I returned to the Senate, having been elected in 2010 to serve another term, our debt level was bad enough at that point at \$10.7 trillion. But under this administration, in less than 8 years, it has almost doubled. It is now \$19.2 trillion, I think is the latest, and the clock is ticking. Tune in to my Web site and you will see the debt clock. It is stunning to sit there and look at how fast those digits are turning of money that is being borrowed, which we have to pay interest on and which is slowing down our economy and crippling our future generations.

I see the young pages sitting here on the steps. Many of them have listened to my "Waste of the Week" speeches. I want to tell you that my generation—I am not pointing fingers at one party or another—has failed to achieve some kind of fiscal discipline that will put you in a position where you can inherit from my generation something that my parents and our parents and our generation gave to us, and that is a prosperous, growing, dynamic economy that gave us the opportunity to get an education, gave us the opportunity to be engaged meaningfully in the workforce, become homeowners, raise a family, save for our kids' future.

I stand here as a father with 3 children and 10 grandchildren. It is sickening to me to think about the challenges they are going to have because my generation didn't step up to the responsibility of running a fiscally sound economy through the decisions we make in the U.S. Senate, U.S. Congress, and the White House. Yes, I have blamed this President for not treating this in a serious enough manner. We made every type of effort you could think of in 2011, 2012, 2013, 2014, and we finally threw up our hands and gave up because of the six or seven things that were presented to the President over that period of time, he has rejected every one of them. I was part of one of those negotiations and was very involved with that negotiation. I directly dealt with the President and his top people. We gave him a lot of what he said he wanted, and in the end he turned it down.

I wish I had the clock ticking behind me. We are getting ever deeper into debt, and that will have a significant impact on the country.

I was speaking on the floor yesterday. The growth—if you can call it that—in the latest quarter is 0.5 percent. That is about as anemic as it

gets, teetering on falling into a recession. That is what the statistic shows for growth during the first quarter of 2016. The number comes from the Department of Labor. It shows that there was a very low amount of new jobs. Those new jobs basically replaced those who were retiring. It is far below what we need to provide meaningful jobs for people in this country.

After having failed over a period of years to put together a credible, long-term plan to deal with our debt crisis, balance our budget, and stop adding more to our debt, I have come down to show my colleagues documented evidence of the waste, fraud, and abuse that nonpartisan agencies have inspected and told us about. For over 40 weeks, I have been in this cycle of coming to the Senate floor to identify yet a new waste, fraud, or abuse, and the total is significantly trending toward \$200 billion worth of waste. It is no wonder that Americans at home are furious with the dysfunction that is taking place in Washington and demanding change. We see this on both sides of the aisle. The people have said: We have had it. It is enough. We are done with you guys and gals. We need to shake this place up. A revolution is taking place across the country. The country is finally grasping onto the fact that we have simply not been functional. The one way we can be functional, or at least do something, is to have the government's own accountability office, which looks into the programs that are part of what we have enabled and provides the needed spending for certain areas—if they see there is fraud, waste, and abuse, can't we at least do something about that? That is the reason I am here today.

I have been a strong supporter of the U.S. armed services. I am a veteran, and I served on the Armed Services Committee during my previous tenure in the Senate. I have a deep regard and respect for the need for adequate spending to provide for our common defense. That is the first obligation in the Constitution that we swear to when we are sworn into the U.S. Senate. There is no agency that is exempt or getting a pass if they are engaged in bad decisions that spend and waste money, especially if they don't correct those things that are pointed out by their own inspectors general or government agencies that look into all of this.

Today I am talking about the Department of Defense. They are not immune from issues of waste, fraud, and abuse, and we need to document those as well. One of the reasons we need to document those is they need every penny they have because their portion of the budget is continuing to shrink due to our dire fiscal situation. At the very least, we have to make sure they are not wasting money because it is needed to protect and provide security for Americans. This waste of the week involves expenditure in Afghanistan, where we have troops and commit-

ments over there. They had a request for cargo planes. We need planes to transfer cargo between the bases and different parts of Afghanistan. So the decision was made to provide 20 cargo planes to fulfill that mission. The Department of Defense went to the country of Italy. Maybe they went to Italy because they are part of the coalition and felt obligated to buy some equipment from them, and so they bought 20 Italian cargo planes. The purpose of the purchase was to support the Afghan Air Force, and as I said to transport troops and equipment around the country.

At the time the Afghans had old, out-of-date, Soviet-era Russian planes and the Department of Defense wanted to replace them, so again they went to Italy to purchase these planes. The purchase price for 20 of these cargo planes was \$486 million. That is a lot of money, but I am not here to say they should have paid less or should have paid more. That is what the price was and that is what they negotiated. This was documented by two inspectors general who looked at this program and said: Wait a minute. We have a problem here, guys. The first problem was they didn't buy 20 cargo planes, they only bought 16 planes. The price was \$486 million for 20 planes, and somehow only 16 arrived. I am not sure what happened to the other four planes, so there were problems from the beginning.

It became abundantly clear early on that these planes were not made to fly in the type of conditions that exist in Afghanistan. Afghanistan has a lot of desert, sand, wind, and these planes apparently have all kinds of problems flying in that kind of atmosphere. You would have thought that since we were there, we would know this because our own planes fly in that atmosphere. I think somebody basically didn't do their homework and say: Before we pay out \$486 million, maybe we ought to make sure the planes we are buying to replace the old Soviet planes, which we know don't work, can fly in the atmosphere here. Since we have had problems with some of our own planes, we need to make sure these planes are capable of holding up under these type of conditions.

As it turned out, they flew the planes for only 9 months, and in those 9 months they accumulated 235 hours of flight time, and one of the reasons for that is because they were constantly in the maintenance shop having repairs made because of the conditions they were flying in. The planes were purchased on the basis that they could get 4,500 hours out of each plane and that would carry a lot of cargo. I can understand why they wanted them, but because the problems they had were so extensive, it turned out they needed a lot of spare parts. When they looked in terms of what it would cost to buy new spare parts for these planes, the total came up to another \$200 million. So on top of the \$486 million, another \$200

million would have to be added to that. Since they didn't have the money to do that, they said: Let's take 6 of the remaining 16 planes off the airfield and tear them down for spare parts. So now we are down to 10 planes. We started with 20, somehow they only got 16, and now they decommissioned 6 planes and used them for spare parts for the other planes so they wouldn't have to spend the \$200 million. Now we are down to 10 planes at a cost of \$486 million, but even after that they continued to have problems and so they decided to scrap the whole thing.

You would have thought somebody somewhere with different conditions would want to buy those planes. We are now down to 10 planes. Maybe they could have taken the spare parts off those planes and maybe salvage a few more, but, no, the decision was made to scrap those planes and decommission them. So they decided the next step was that since we can't use them, let's just tear them apart. This is a nice picture of what happened to the planes.

Here we have a nice pile of scrap. They said we have to salvage something so they said: Let's sell the scrap. We spent \$486 million for planes that were sold for scrap. We sold the scrap for 6 cents a pound and we retrieved \$32,000. We spent \$486 million, decommissioned 6 planes so we could get spare parts, which meant we only had 10 planes, and since that didn't work, they just took a bulldozer to that, scrapped it, and now this machine is picking up the scrap and probably putting it in the container and selling it for 6 cents a pound.

I come down here every week, and these stories are just mind-boggling. The taxpayer hears about these stories and some might say: In this atmosphere, maybe we shouldn't be exposing all of this. No, we are exposing it so we can stop this and have an efficient and effectively run government doing the essential things the Federal Government needs to do and not getting itself into this constant week after week after week—look, there have been books written by Senators. My former colleague Tom Coburn wrote a book about waste, which basically documented hundreds of billions of dollars of waste, fraud, and abuse. He stepped down from office 2 years ago, and we miss him. I am just trying to carry on his legacy, probably in a less effective way than he did, by exposing what is happening with Americans' tax dollars.

Every day people haul themselves out of bed, start their coffee, get in the car, go to work, come home, try to save money, look at their paycheck, and when they see the amount of money that is being deducted for taxes, they say: Ok. Well, maybe that is what we need to do to protect our country and provide for programs. And then when they learn about stuff like this, they say: What am I going to work for, just to turn this money over to Washington so they can spend it and make decisions like this.

This is one of 40-some presentations I have given on the Senate floor, and I will keep doing this as long as I stay in the Senate because our people need to know and put pressure on their representatives. They need to think about this so the next person they elect to walk into the White House will hopefully have the courage to address our fiscal problems in a way that is not going to put our next generation in such dire situations.

With that, I add to our ever-growing list of waste, fraud, and abuse another \$486 million for a total of \$162,764,055,817. Think how that money could be used for essential items like Zika, Ebola, research at the National Institutes of Health, education, paving roads, doing infrastructure repairs—any number of things that need to be done, which is how that money could be better used than selling used airplane scrap for 6 cents a pound. Think about the money that could be returned to the taxpayers that they wouldn't have to pay in taxes if we could simply run a much more efficient, effective government.

Spending is a huge issue. It needs to be addressed in this election. The American people need to be aware of where we stand. Where we stand today is substantially worse than when I arrived to start my second term in the Senate 5½ years ago.

Mr. President, with that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

Alexander (for Flake/McCain) amendment No. 3876 (to amendment No. 3801), to require that certain funds are used for the review and revision of certain operational documents.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. BLUNT. Mr. President, today I want to talk about the Obama administration's nuclear agreement with Iran and the many ways the agreement has failed to rein in Iranian hostile behavior over the course of the last year.

Over the last week, I thought it was interesting that there was great reluctance on the part of people who voted in an enabling way to allow the Iranian agreement to occur to take a stand on the position that Mr. COTTON brought to the Senate floor, where we would not now give Iran millions of dollars to purchase heavy water that they would use in their nuclear activities and obviously continue to produce.

In addition to that, I saw on Monday of this week that Iran tested a variant missile with a range of over 2,000 kilometers capable of striking Israel. Over and over again, we see Iran participating in hostile behavior and, somehow, none of that behavior violates either the spirit or the 'letter of the agreement that was discussed as such an important breakthrough with what was going to happen in Iran.

For those of us who predicted that Iran's behavior would not change and that behavior in the neighborhood would change in fear of what would happen because of Iran—I think those predictions are becoming more and more obviously true.

On April 2, 2015, a framework agreement was reached on that program. Here we are a year later. This agreement seems not to have accomplished any of the things that we would want to accomplish with the country of Iran.

According to President Obama: "Iran so far has followed the letter of the agreement, but the spirit of the agreement involves Iran also sending signals to the world community and businesses that it is not going to be engaging in a range of provocative actions that might scare business off."

That is an absolute quote from the President.

Now, why we are concerned about scaring business off from Iran, I don't know, because another quote from the administration over and over again is that Iran is the No. 1 state sponsor of terrorism. I think if we were talking more about that activity of Iran and less about what they need to encourage business activities, we would be doing what we should be doing.

Jennifer Rubin wrote in the Washington Post that "his comments are curious both because the 'letter of the agreement' seems to be forever changing to incorporate Iran's demands and because despite Iran's actions, the president continues to make more and more concessions."

The administration sold this deal on the promise that we would see a great change in behavior. Take, for example,

the behavior that has occurred: Iran's continued disregard of the United Nations Security Council resolutions dealing with ballistic missiles. Since the conclusion of the nuclear deal last summer, Iran has test-fired new classes of missiles whenever it wanted to; as I just mentioned, as late as last Monday. In October, they tested new missiles that are precision guided and more sophisticated than the current missiles they have. They have now tested missiles that could reach Israel.

Despite the U.N. Security Council explicitly calling for Iran to halt its ballistic missile activity, Iran's leaders have consistently rebuffed anything that is coming from the international community that it says is out of bounds of the resolution, and apparently everything is out of bounds of the resolution. In August of 2015, the deputy foreign minister of Iran and chief nuclear negotiator told the Tehran Times: "The restrictions on weapons posed through Resolution 2231 . . . are not mandatory and we can disregard them."

That statement directly contradicts Secretary of State Kerry's statement when he talked about the resolution. When he testified before the Senate Foreign Relations Committee last July, on July 23, Secretary Kerry said:

They are restrained from any sharing of missile technology, purchase of missile technology, exchange of missile technology work on missiles. They cannot do that under Article 41, which is Chapter 7 and mandatory. . . .

Obviously the administration has a much different interpretation of the current U.N. resolutions than Iran, but they also appear to have a completely flexible interpretation of what the agreement actually says.

In March of this year—just a few weeks ago—the Department of Justice unsealed an indictment of Iranians who carried out cyber attacks against critical infrastructure and the financial sector of the United States with the knowledge of the Iranian Government. What does critical infrastructure mean? Critical infrastructure means the utilities, the transportation network, the things we have to rely on every day to provide the infrastructure the country needs to function.

The indictment notes that one of the hackers "received credit for his computer intrusion work from the Iranian government toward completion of his mandatory military service in Iran."

I don't know any other way to interpret that than to say that if someone is in the Iranian military and if they want to cyber attack the United States, they will give someone credit for military service time to do that.

I would think the administration would consider applying sanctions to put more pressure on Iran and not worry quite so much about Iran's future business opportunities. Curiously, yet predictably, the administration has

taken the opposite approach and continues to reward bad behavior. That reward can come and has come in the administration's basically easing financial restrictions that prohibit U.S. dollars from being used in transactions with Iran.

The dollar continues to be the principal economic currency of the world. Why we would want Iran to have more access to that currency, I don't know. Yet the Secretary of the Treasury, Jack Lew, said that giving Iran access to U.S. currency would ease the blockade. He said, "Since Iran has kept its end of the deal, it is our responsibility to uphold ours, in both letter and spirit."

There may be only five people in the world—and they are all in the Obama administration—who believe that Iran has kept up its end of the deal.

On April 2, 2016, Eli Lake wrote about how the President has to keep on giving to save his Iran deal. In other words, Mr. Lake wrote:

I was under the impression that the nuclear negotiations with Iran ended in July. There was the press conference in Vienna, the U.N. resolution that lifted the sanctions on Iran and the fight in Congress that followed. That turns out to have been wrong.

He goes on further to say:

It wasn't part of the "deal" in July, which only lifted nuclear-related sanctions on Iran but kept other sanctions to punish the country's support for terrorism, human rights abuses, and its ballistic missile program.

We don't seem nearly as committed to those sanctions.

On April 3, 2016, the Ambassador of the UAE to the United States wrote an op-ed in the Wall Street Journal highlighting concerns about Iranian actions in the year since the nuclear deal. The Ambassador pointed out that behind the talk of change, the Iran we have long known is still around. He then goes on to list the concerning actions Iran has taken in the last year, such as firing rockets near the USS *Truman* aircraft carrier in December 2015 while the *Truman* was peacefully transitioning the Strait of Hormuz; No. 2, detaining 10 American Navy sailors in January of 2016; No. 3, Iranian visits to Russia to purchase military fighter jets and equipment, presumably with the billions they received as part of the nuclear deal. According to the Ambassador, the list can go on and on, with Iranian influence continuing to cause instability in Yemen, Syria, as well as Iran's support for Hezbollah.

There can be no doubt that the Obama administration's nuclear agreement with Iran has left regional allies nervous. The Ambassador from the UAE in the editorial I referenced has made that point very clearly, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 3, 2016]

ONE YEAR AFTER THE IRAN NUCLEAR DEAL

(By Yousef Al Otaiba)

Saturday marked one year since the framework agreement for the Joint Comprehensive

Plan of Action—the nuclear deal with Iran—was announced. At the time, President Obama said this agreement would make "the world safer." And perhaps it has, but only in the short term and only when it comes to Iran's nuclear-weapons proliferation.

Sadly, behind all the talk of change, the Iran we have long known—hostile, expansionist, violent—is alive and well, and as dangerous as ever. We wish it were otherwise. In the United Arab Emirates, we are seeking ways to coexist with Iran. Perhaps no country has more to gain from normalized relations with Tehran. Reducing tensions across the less than 100-mile-wide Arabian Gulf could help restore full trade ties, energy cooperation and cultural exchanges, and start a process to resolve a 45-year territorial dispute.

Since the nuclear deal, however, Iran has only doubled down on its posturing and provocations. In October, November and again in early March, Iran conducted ballistic-missile tests in violation of United Nations Security Council resolutions.

In December, Iran fired rockets dangerously close to a U.S. aircraft carrier in the Strait of Hormuz, just weeks before it detained a group of American sailors. In February, Iranian Defense Minister Hossein Dehghan visited Moscow for talks to purchase more than \$8 billion in Russian fighter jets, planes and helicopters.

In Yemen, where peace talks now hold some real promise, Iran's disruptive interference only grows worse. Last week, the French navy seized a large cache of weapons on its way from Iran to support the Houthis in their rebellion against the UN-backed legitimate Yemeni government. In late February, the Australian navy intercepted a ship off the coast of Oman with thousands of AK-47s and rocket-propelled grenades. And last month, a senior Iranian military official said Tehran was ready to send military "advisers" to assist the Houthis.

The interference doesn't stop there. Since the beginning of the year, Tehran and its proxies have increased their efforts to provide armor-piercing explosive devices to Shiite cells in Bahrain and Saudi Arabia. A former Iranian general and close adviser to Supreme Leader Ayatollah Ali Khamenei called for Iran to annex all of Bahrain. And in Syria, Iran continues to deploy Hezbollah militias and its own Iranian Revolutionary Guard to prop up Syria's Bashar Assad.

These are all clear reminders that Iran remains the world's leading state sponsor of terrorism—a persistent threat not only to the region but to the U.S. as well. "Death to America" has always been more than an ugly catchphrase; it has been Iranian policy. Iran has orchestrated countless terrorist attacks against Americans: from the Marine barracks in Beirut to Khobar Towers in Saudi Arabia. During the Afghanistan war, Iran paid Taliban fighters \$1,000 for each American they killed.

In Iraq, Iran supplied the improvised explosive devices (IEDs) that killed or maimed thousands of U.S. soldiers. And in recent weeks seven Iranian hackers were indicted in a U.S. federal court for a cyberattack against U.S. banks and critical infrastructure.

As Henry Kissinger once said, Iran can be either a country or a cause. Today "Iran the cause" is showing little of the same kind of pragmatism and moderation in its regional policies and behavior as it did in the nuclear talks. Last week, Mr. Khamenei insisted ballistic missiles were key to the Islamic Republic's future. "Those who say the future is in negotiations, not in missiles, are either ignorant or traitors," he said.

It is now clear that one year since the framework for the deal was agreed upon,

Iran sees it as an opportunity to increase hostilities in the region. But instead of accepting this as an unfortunate reality, the international community must intensify its actions to check Iran's strategic ambitions.

It is time to shine a bright light on Iran's hostile acts across the region. At the Gulf Cooperation Council summit in Riyadh later this month, the U.S., the U.A.E., Saudi Arabia, Qatar, Kuwait, Bahrain and Oman should reach an agreement on a common mechanism to monitor, expose and curb Iran's aggression. This should include specific measures to block its support for the Houthi rebels in Yemen, Hezbollah units in Syria and Lebanon, and Iranian-linked terrorist cells in Saudi Arabia and Bahrain.

If the carrots of engagement aren't working, we must not be afraid to bring back the sticks. Recent half measures against Iran's violations of the ballistic-missile ban are not enough. If the aggression continues, the U.S. and the global community should make clear that Iran will face the full range of sanctions and other steps still available under U.N. resolutions and in the nuclear deal itself.

Iran's destabilizing behavior in the region must stop. Until it does, our hope for a new Iran should not cloud the reality that the old Iran is very much still with us—as dangerous and as disruptive as ever.

Mr. BLUNT. Mr. President, the administration's nuclear agreement has left the region nervous, has left the world less stable, and has left our colleagues in the Senate who voted for it unwilling to vote on anything else about Iran. I think we are finding that the people we work for don't believe this was a good agreement, and we will be talking about this agreement and the aftermath the agreement has created for a long time.

We need to restore a world where America's friends trust us and our enemies are afraid of us. It is a dangerous world if we have exactly the opposite of that happening, when our friends don't trust us and our enemies aren't afraid of us, and this Iranian agreement is one of the reasons that is the case.

Mr. President, I yield the floor.

CHANGE OF VOTE

Mr. DONNELLY. Mr. President, on rollcall vote No. 70, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I am pleased that today the Senate will pass the Energy and Water Development Appropriations Act for fiscal year 2017. By rejecting the poison pill riders that sidelined the appropriations process for much of last year, the Senate has taken a responsible step forward to meet the needs of the American people, keeping our government functioning, and investing in critical programs to support energy research, production, and management.

I am particularly pleased that the Senate rejected efforts to eliminate Federal support for key regional commissions, including the Northern Border Regional Commission. The Northern Border Regional Commission, like others across the country, is a joint

Federal-State economic development effort that includes some of the most severely and persistently economically distressed and underdeveloped counties in Vermont, New Hampshire, Maine, and northern New York. Every Federal dollar invested through the commission leverages on average \$2.6 in matching funds in return for vital economic development and infrastructure projects. The \$10 million this energy and water bill provides for the NBRC will help create new jobs and retain thousands more.

This bill also makes important investments in the Army Corps of Engineers, in energy efficiency and renewable energy programs, in scientific research, for weatherization programs, and in environmental cleanup. I want to thank Chairman ALEXANDER and Ranking Member FEINSTEIN for working with me, too, on important report language to encourage the Department of Energy to facilitate the sharing of information and resources among host communities with nuclear power plants that face decommissioning. Communities impacted by the decommissioning of the Vermont Yankee Nuclear Power Plant would benefit greatly from the experiences and best practices of other host communities in which plants have recently been decommissioned. I look forward to working with the Department of Energy to further advance these goals. The bill also includes report language that directs the Department of Energy to fund activities that support the development and testing of new low-emission, highly efficient wood stoves, an important heat source for many Vermont homes because of the affordable and renewable thermal energy they provide.

Senator ALEXANDER and Senator FEINSTEIN have worked in a bipartisan way to produce a responsible, rider-free appropriations bill, and I hope this process will serve as a model for the Senate as we continue the appropriations process this year.

Mr. BLUNT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

Mr. FLAKE. I ask unanimous consent to be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREE TRADE

Mr. FLAKE. Mr. President, spring has sprung, April showers are giving way to May flowers, and soon we will be in the dog days of summer. Every bit as much as a tired cliché, we have again heard sabers rattle in opposition to free trade, which tends to happen at this point every even year. 'Tis the season for anti-free trade rhetoric.

Opponents of free trade are vehemently arguing that the country needs to "get tough" and hide behind protectionist barriers. Unfortunately—and this is what is most troubling—a lot of these arguments are coming from the Republican side of the aisle. When Congress turned its attention to renewing trade promotion authority a couple of years ago, I commented that some Republicans had to do some pretty impressive verbal gymnastics to put themselves in opposition to free trade. If that was the case then, we have to be witnessing mental triple gainers here with calls to end NAFTA, to reject the Trans-Pacific Partnership outright, and to hike tariffs to ridiculous levels. It is unfortunate, indeed, when this time of year brings out strawman arguments scapegoating free trade for everything that ails the U.S. economy.

The truth is, free trade expands economic freedom, spurs competition, raises productivity, facilitates job creation, and increases the standard of living for all countries if we choose to embrace it. To put it simply, free trade provides the U.S. economy with access to global markets. According to the U.S. Chamber of Commerce, 80 percent of the purchasing power and more than 95 percent of the world's consumers live outside of our borders. In addition, 92 percent of the world's economic growth is also outside of U.S. borders. In an increasingly global economy, it is incredible to think of the financial opportunities that free trade opens up for a variety of sectors of our economy.

According to the Office of the U.S. Trade Representative, U.S. exports supported more than 11 million jobs in goods and services in 2013, a quarter of U.S. manufacturing jobs, and more than 900,000 jobs in the agriculture sector just since 2012. And it is not just jobs directly related to exports. In 2013, the United States spent more than \$450 billion in research and development—more than any other country on the planet. Do we really think U.S. companies are going to pour their hard-earned dollars into developing products and technology if they are able to sell only to the U.S. market alone? Not a chance.

Lowering trade barriers and allowing reciprocal access to U.S. markets also provide U.S. consumers access to lower cost goods, boosting their purchasing power. By some reports, U.S. middle-class Americans gain more than a quarter of their purchasing power from trade, allowing individuals and families coast to coast to purchase a wider variety of goods at lower cost. This is the part that some people don't appreciate. Imports not only stretch dollars for consumers at the cash register, but free trade also allows for access to cheaper inputs that make U.S. industries more globally competitive around the world. In fact, it is estimated that half of U.S. imports are actually inputs for U.S. production for U.S. manufacturing. Lower price imports also help reduce production costs and can lead to

expanded production, employment, and wages in the United States.

I bring up these issues today because in the midst of somewhat predictable politically heated comments, albeit from somewhat unpredictable sources on the Republican side of the aisle, it is important to remember that trade is a critical component of the U.S. economy. We should be working to expand trade, not impede it.

Beyond barring the direct benefits I have noted, a protectionist agenda can only result in a chilling effect on foreign investment. In the long run, U.S. workers, industry, and consumers will all lose out if foreigners perceive the U.S. as a hostile place of doing business.

I understand it is difficult for politicians to point to the benefits of free trade. It is tougher to look out there and find individuals who directly benefit from buying cheaper goods or having cheaper inputs for their own production. It is easy to find individuals whose companies have closed down because of global competition, but in the aggregate, on the whole, the country is far better off, and we should understand that here. We have access to the information and the modeling, to everything that tells us that trade is extremely beneficial to the economy, and it is good for the U.S. worker as well.

We are often told to everything there is a season. Unfortunately, this is the season where empty protectionist rhetoric is allowed to bloom.

I urge my colleagues to consider this carefully the next time they are tempted to talk about protectionist benefits rather than the benefits of free trade.

With that, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS

Mr. LANKFORD. Mr. President, I wish to spend a couple of moments to talk about the Zika virus and our response from Congress to it. There has been a lot of conversation about the Zika virus, both in the media and in a multiple of our committees for months, actually. This is not a new issue that has been brought up. This is an existing issue. The spread of the Zika virus is moving across our hemisphere. It is rapidly spreading in multiple countries to the south of us, and it is moving toward the United States.

As most people know, the Zika virus is carried by a mosquito—a particular type of mosquito. Not all mosquitoes can transmit the Zika virus. This particular type of mosquito can carry the virus from one person when the Zika virus is in their blood. It gets in the mosquito. The mosquito bites someone else and transfers it. The interesting

thing that most people don't realize is that the Zika virus for most individuals is not all that difficult or painful to be able to work through.

In their own materials that they have now put out in their response to the Zika virus, the CDC tries to list the symptoms of Zika and what it really means for most individuals. For most individuals, it is something they will have for a few days. They said that for many individuals, they don't even know they have it. It is something similar to having a cold, where they may have some muscle pain and a headache. They may have a fever or a rash, but it goes away after a few days. They are then immune to it for the rest of their life.

In fact, the CDC says that if you have it, the treatment they list for the Zika virus—obviously, they always suggest that you check in with your doctor. But the common treatment from CDC is to get plenty of rest, drink fluids, and take Tylenol. It is not something that most people should be afraid of unless you are pregnant, but the risk of birth defects is astronomical.

Now, not everyone who is pregnant and gets the Zika virus also has birth defects, but for those that have, it can be very, very serious. This is to be taken seriously, but it is not a new issue as well.

The Zika virus has been known to be around since the 1950s. It has moved through multiple different countries in multiple different regions. In the United States, though, we have yet to have a single case in the continental United States that originated in the United States. These are individuals who traveled to countries south of us in Central America or South America and picked up the virus there or in Puerto Rico or in some of the other areas in the Caribbean and then have come back to the United States. But it is yet to have a transfer, that we know of, from any individual within the United States to another person in the United States.

Again, that doesn't belittle the issue, but I want to put it in the context of where we are. We are at the early stages of dealing with this as U.S. citizens. In Puerto Rico and other areas, it is very advanced and there are hundreds of cases there. Now the determination is this: What do we do?

The CDC has already stepped up, trying to intervene and trying to find ways to be able to develop a vaccine for it, which they feel confident they can do. I met with the Director of the CDC not long ago. He feels very confident they will be able to have a vaccine within a couple of years. But then we have a couple of years that we are dealing with in the process just for the development of the vaccine and then the distribution of that vaccine.

The main thing that can be done right now is actually putting down mosquito populations. It is getting into areas where there is rapid advancement of mosquitoes and actually putting pes-

ticides in those areas to greatly diminish the population of mosquitoes. It is developing better testing for Zika. It is getting out the opportunity in different health departments around the country to say: How are we going to evaluate this and how do we know if someone just has a fever and a rash, if that is something else related to heat, or if that something related to Zika? The CDC is engaging in all of those things.

In the middle of this, the White House has requested almost \$2 billion in what they are calling an emergency request for Zika. I do believe there should be a response to Zika, and we should aggressively lean in. The last thing we should do is sit around and wait until the Zika virus spreads across the United States and affects many of these pregnant moms who are out there. Then we have birth defects because of our inactivity in the days ahead. But almost \$2 billion in an emergency request is interesting to me because for a lot of it they haven't given us great detail on it of really what all of that will engage. But they have said they need this large amount of money.

I have to tell you that I am a little bit skeptical when anyone comes and says: It is an emergency. I need \$2 billion, and I will tell you what it is for later.

We went through this with the Ebola funding, where there was a \$5 billion request for Ebola funding. Two years later, they spent about \$2.5 billion of that. Recently, the administration transferred half a billion dollars of that funding for Ebola into treatment and discovery for Zika. So they have already reprogrammed some of that money and have started to be able to move it over.

I would ask just a couple of things of this body as we consider how we are going to handle Zika. One is to treat it seriously. Though for most people it is not a serious issue, if you are pregnant, it is serious. We should treat it seriously.

The second thing is that we should do this appropriations in the normal appropriations process. I do not think we need to have additional debt spending. We can reprogram existing funds to be able to deal with this. We also need real detail of how this money is going to be spent so that we don't allocate dollars and then find out later how they were going to be spent. We have a responsibility as Congress to know how American tax dollars are being spent, and I think my skepticism is justified.

Let me give you just a quick idea. Right now, if we are going to deal with actually funding this area—which I believe we should—then we should begin with allowing the Department of State, HHS, and USAID to have transfer authority within their existing accounts to be able to address this. These three agencies currently have \$86 billion in what they call unobligated balances from previous years that they already

have right now—\$86 billion. With this much money lying around, there is absolutely no need to ask the American people to pay an additional \$1 billion on top of the originally already obligated—overobligated—and bloated budget.

The transfer authority I would ask for would be accompanied by a comprehensive spending plan that requires the administration to detail exactly how it plans to use these funds and then report out any obligations to match up with the original spending plan. Before we write a blank check to the administration, I believe the American people should actually know how this is being spent.

Now, there are some individuals who would say this is an emergency. We just need to add \$1 billion more in debt and figure out how to pay for it later.

I would disagree. We have transfer authority. This is not new. In fact, if you go back to 2009, President Obama requested transfer authority to HHS to deal with the H1N1 panic. Remember when the big panic was about swine flu and about H1N1 in 2009? As a nation, we stood up and addressed some of these issues.

At that time the President made a very specific request for transfer authority to deal with this. That is not any different than what I am saying right now. I don't understand how this is different than how we were dealing with H1N1. Right now we have to have additional spending on top of everything else, but in 2009 it was entirely appropriate to be able to reprogram funds.

Again, this is not new. As I have mentioned before about for the Ebola emergency supplementals, the President has already taken about \$600 million from Ebola and transferred that over to Zika.

It is interesting to note that in March President Obama reprogrammed \$500 million from the Economic Support Fund, which is designated by Congress to combat infectious diseases. He took \$500 million from the fund to combat infectious diseases and instead reprogrammed it over for the Green Climate Fund. So he took half a billion dollars from the infectious diseases account and used it instead for the Green Climate Fund—internationally.

He has done this before. In fact, it was just days ago that the President took \$8 million out of a different account and reprogrammed it to purchase almost \$9 million of heavy water from Iran.

This body, of all bodies, has the responsibility to be able to not only deal with the health emergencies that are happening around the world but also the fiscal issues that we have in our Nation. We can do both. There is no reason to do debt spending when the money is there right now to be reprogrammed. We do not have to break the budget caps, and we do not have to accelerate other areas of spending just to do what is our responsibility. We

should do the responsible thing in dealing with Zika. We should also assume the responsibility we have to take care of the American taxpayer at the same time.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION OPIOID ABUSE

Mr. DURBIN. Mr. President, I am honored to represent the State of Illinois. It is a big State. From Chicago to Carroll at the southern tip of our State is 400 miles, and, of course, there is more State north of Chicago. I traveled the State over the last several months, and last week I went to the southern tip of the State, worked my way through, came back through central Illinois, and was in the city of Chicago. There is one recurring challenge I find all across the State: No matter what community I visit, I have learned that there is no town too small, no suburb too wealthy, no city that has escaped the opioid and heroin epidemic we are now facing. America is losing more people to heroin overdose than we are to traffic accidents. It has become that common.

I try to have roundtables around the State—rural areas, suburban towns—and really try to get the picture of what is happening. I think I have come to understand it a little better because of this effort, and I would like to discuss it today.

The opioid/heroin crisis demands our immediate attention. It demands a comprehensive response involving local, State, and Federal Government, law enforcement agencies, and the private sector. For too long we have focused our efforts almost exclusively on responding to and treating addiction. That is a critical element, and I am not going to diminish it, but we need to look beyond that.

Yes, we need to make sure substance abuse treatment is available. Right now there are some archaic laws in the Medicaid Program that restrict the number of beds one can have in a treatment facility. I see Senator ALEXANDER from Tennessee has come to the floor, and he is chair of the committee that may consider this issue. He may be aware of the fact that many years ago we restricted the number of treatment beds in substance abuse treatment facilities to 16 beds. If we can imagine, for facilities treating the city of Chicago, 16 beds doesn't even touch the problem we are facing with addictions today, so I hope we can increase that

number. I talked to Senator COLLINS of Maine, and she has run into the same thing in her home State, and I bet others have as well.

When it comes to treatment, there are things we must do, and this is one when it comes to Medicaid. But we have to do more than that. Simply dealing with substance abuse treatment, as important and critical as it is, is not enough. We need to look at the root causes of the issue.

Each year in America, the pharmaceutical industry produces 14 billion opioid pills—14 billion. That is enough to provide every adult in America a 1-month prescription of opioid painkillers. There is a definite need for these painkillers and pain management. The Centers for Disease Control estimates that 14 to 16 percent of Americans face chronic and acute pain. I want to be sensitive to their needs and make certain they have the kind of pain relief and pain management they desperately need every single day, but what we have now is a market in America flooded with these opioid pills. The number of opioid prescriptions has risen dramatically, from 76 million prescriptions in 1991 to 245 million in 2014—more than triple the amount. The United States is the largest consumer of opioid pain pills, accounting for almost 100 percent of the world's total consumption of hydrocodone and 81 percent of OxyContin.

There are a number of reasons we have seen the sharp rise in the number of opioids being prescribed over the last two decades: There is increased attention on identifying and treating pain; there is perceived financial incentive in some cases to overtreat pain; and there is a lack of insurance coverage for alternative pain treatment modalities. However, the single largest reason behind the dramatic increase is the production on the pharmaceutical side.

The dramatic increase in prescriptions for these addictive pain killers can be directly linked to Purdue Pharma introducing OxyContin in the late 1990s. Between 1996 and 2002, Purdue Pharma funded more than 20,000 pain-related educational programs for doctors through direct sponsorship or financial grant and launched a multifaceted campaign to encourage long-term use of OxyContin for chronic, noncancer pain. They, of course, promoted their pills to doctors and patients on the false promise that these powerful painkillers could relieve pain for up to 12 hours in many patients. When clinical trials and physicians' and patients' feedback showed that OxyContin didn't last for that full period, Purdue Pharma refused to explore other dosing intervals. Instead, they urged doctors to increase the dosage, leading to highs and lows of crippling addiction and overdose.

The recent guidelines released by the Centers for Disease Control and Prevention recommended against using

opioids for chronic, noncancer pain management, but by this point Purdue Pharma had opened the door for others to follow. From 1972 to 2015, the Food and Drug Administration has approved more than 400 different opioid products—100 brand-name drugs and more than 300 generic versions. The pharmaceutical industry is flooding our communities with greater and greater quantities of these drugs. Between 1993 and 2015, the production of hydrocodone increased twelvefold, the production of hydromorphone increased twenty-three-fold, and the production of fentanyl increased twenty-five-fold. As I mentioned earlier, there are approximately 14 billion prescription opioid pills on the market in America every year.

What has been the result of this overproduction and overprescribing? Nearly 2 million people in the United States are currently addicted to opioids. We have seen alarming increases in opioid-related emergency room visits and treatment admissions for abuse. In 2014 opioids were involved in 28,647 deaths in America. In 2014 Illinois had 1,652 opioid-related drug overdose deaths—a nearly 30 percent increase over 2010. Each week in Illinois, we average eight deaths due to prescription drug overdose.

And it doesn't stop there. In so many cases, prescription opioid abuse leads to heroin addiction. Four out of five current heroin users say their addiction began with prescription opioids. It is heartbreaking to have these roundtables in communities and to sit across the table from recent graduates from high school who tell the story of having been addicted in high school for years, and then when they couldn't afford the expensive pills, they switched to heroin, which was cheaper and in many cases for their friends, dead.

The United States currently has 467,000 heroin addicts. Between 2002 and 2013, the rate of heroin-related overdose deaths nearly quadrupled, with more than 8,200 people dying from heroin in 2013.

It is time to change. We need a comprehensive solution. We need it now. We have to prevent these drug companies from flooding the market with excessive amounts of addictive pills. We can't sit idly by while they tell us these powerful painkillers are safe. We know better. We must encourage the Drug Enforcement Agency and the FDA to use their authority to keep unnecessary, unsafe drugs off the market, and we must crack down on doctors and providers who are overprescribing.

Let me repeat. People suffering chronic and acute pain need help. They need pain relief, and they need pain management. I will never stand in their way. But we know from the volume of painkillers that are being prescribed that there are many people who are abusing.

I shared with four major medical societies a recent letter asking them to help us help our Nation combat this

epidemic. I want them to endorse mandatory continuing medical education programs for those who prescribe opioids—doctors and dentists. They should support proposals to require that physicians and dentists check prescription drug monitoring databases before they prescribe opioids to patients, ensuring that these patients aren't just doctor shopping, and they should increase awareness and transparency in physician-prescribing practices, as well as proper accountability and intervention.

Every stakeholder in this complex opioid epidemic has played a role in reaching this dreadful point, and now every stakeholder has a responsibility to help us address this crisis.

The Senate passed a bill earlier this year that has some good provisions and authorizes new programs, but it did not go far enough. It didn't provide additional funding for the crisis. Simply passing an authorizing bill and giving stirring speeches on the floor of the Senate is not going to solve the problem. It didn't address the overprescription of opioids, and it is time for us to be honest about this. I recently heard one of our leaders on this subject tell us: Well, we are going to start teaching the new doctors in medical school not to make the same mistakes. I am sorry, but that is not good enough. Those who currently have the legal authority to prescribe have to change their ways to stop this epidemic. And the bills we considered didn't address the overproduction of these addictive drugs.

We can't solve this massive American problem with half measures. We need to come together—Congress, local government, law enforcement, health care providers, drug companies, doctors—to help solve this problem, and we need to do it as soon as possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I ask unanimous consent that at 1:45 p.m. on Thursday, today, May 12, all postclosure time be considered expired and that following the disposition of the Alexander substitute amendment, the cloture motion on H.R. 2028 be withdrawn, the bill be read a third time, and the Senate vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 2577

Mr. ALEXANDER. Madam President, I ask unanimous consent that following disposition of H.R. 2028, the Energy and Water appropriations bill, the Senate proceed to the consideration of

H.R. 2577, the Transportation, Housing and Urban Development appropriations bill; further, that the pending amendments be withdrawn and that Senator COCHRAN or his designee be recognized to offer a substitute amendment that contains the text of S. 2844 and S. 2806 as reported by the Appropriations Committee with a technical citation correction in section 237 of S. 2844; further, that the substitute amendment be considered an Appropriations Committee amendment for the purpose of rule XVI and that H.R. 2577 serve as the basis for defense of germaneness under rule XVI for the division of the substitute that contains S. 2844 and that H.R. 4974, as reported by the House Appropriations Committee, serve as the basis for defense of germaneness under rule XVI for the division of the substitute that contains S. 2806; finally, that floor amendments be drafted to one of the two divisions and use the corresponding House text for defense of germaneness and that rule XVI discipline apply during consideration of this measure.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oregon.

ENERGY POLICY AND CLIMATE CHANGE

Mr. MERKLEY. Madam President, today I rise to talk about a movement—a vision—called “Keep It in the Ground” and why it is so important to the future of our energy policy here in the United States and our energy strategy around the world.

The core challenge we face as citizens of this planet and as policymakers in the United States is that the impact of global warming is having devastating effects across our country and the world. We can simply look at my home State of Oregon and see that because the winters are warmer, and the pine beetles are thriving and killing a lot more trees. There is such a broad swath of dead trees that it is referred to as the red zone. You can fly above the red zone, as I have, in a plane and see—it feels like it is from horizon to horizon—this swath of red. It is causing extraordinary damage to the forests, and it impacts the natural ecosystem and timber industry, which is a key part of the economy of Oregon.

We could go across the State to the Oregon coast where the oyster industry started having severe problems about the time I was elected to the Senate. The problem was rooted in the fact that baby oysters were dying, and they couldn't figure out why. They thought that perhaps it was due to a bacteria or virus. They had help from research scientists who stepped in to study the situation. It turned out to be the increasing acidity of the Pacific Ocean, and that acidity was making it very hard for the baby oysters to form a shell. As a result, they were dying.

So they artificially manipulated the acidity of the water that the baby oysters were bred in, and that is helping quite a bit. What other challenges are

there for the food chain in the oceans if our oceans have absorbed so much carbon and produced so much carbonic acid that it is affecting the formation of shells on our oysters?

What else will start going wrong? We can turn to the changing weather patterns that are producing drought and floods with greater intensity and understand the impact on agriculture. We can look to the Klamath Basin in my State, which has had the three worst droughts within a 15-year period. We can look at the impact of the snowpack in the Cascades and realize and see the decline of the winter snow entertainment industry.

We can look around the country and see all kinds of other impacts. We see that the moose are dying in the northeastern part of the United States because the winters are not cold enough to kill the ticks. The ticks are killing the moose and the moose are disappearing.

We can look at Louisiana. Recent reports say that they are losing a football field's worth of coastline every 48 minutes due to global warming. That is less than an hour. That is a substantial amount of land that is disappearing hour after hour, day after day, week after week, month after month, and, of course, year after year. It is having a huge impact.

We have come to understand that as the weather warms, certain insects that provide hosts to various diseases gain a greater terrain. As the temperature changes, mosquitoes from the southern part of the United States are moving north, and two of those mosquitoes carry the Zika virus. That is just one example of the concerns that are presented by changing insect populations.

We can look at the impact on the lobsters in Maine. The lobsters are moving north as the water warms in Maine. They are also dealing with the loss of their cod fishery because of the changing water temperatures.

The impact is everywhere. For anyone who looks across the United States and does not recognize that we are in an extraordinary time of multiple changes in the weather patterns, temperatures, and the impacts on animals, insects, agriculture, and timber—if you can't see that, you are really choosing not to look, and we cannot afford not to look. It is our responsibility to be aware of what is happening, why it is happening, and how we need to respond. That is why I am on the floor today.

I am here to talk about “Keep It in the Ground.” I will be doing a series of speeches about different components of the challenge we have in responding to global warming. A part of those conversations will involve looking at these various effects in more detail, such as what I have already mentioned, and other speeches will talk about the promise of new policy strategies, new technologies, new investments, mission innovations, et cetera, that provide a

glimmer of hope of what is happening here in the United States and across the globe.

Here is the challenge. What this all boils down to is that these problems are created by the massive burning of fossil fuels. I think people are generally aware that fossil fuels are created by hundreds of millions of years in which plant life has settled to the bottom of the ocean, then is trapped and submerged. Over time, it is converted into coal, oil, and natural gas. We are pulling out that carbon that has developed over these hundreds of millions of years in a very short span of a few generations on this planet—just over the last 150 years. It has been just over the last 150 years. We have been burning it so it is putting this massive infusion of carbon dioxide back into the air and changing the chemistry of our air. Therefore, it is changing the heat retention of our thin layer of atmosphere that covers our planet and thereby warming our planet—the greenhouse effect as it is referred to.

So our core challenge is to pivot from burning fossil fuels for energy to other forms of energy that do not put carbon dioxide into the air and to do so in a very short period of time.

Naturally, this leads to the question: How much of these fossil fuels can we continue to burn without devastating consequences? That is something that is referred to as the climate math, and that is what I am going to turn to now.

The basic situation is, we have proven reserves that equate to about 2,800 gigatons of carbon dioxide. Those are fossil fuels in the ground equating to about 2,800 gigatons of carbon dioxide. If we were to burn all of those proven reserves that we have in the ground currently, we would massively accelerate global warming, and with the feedback mechanisms, that is disastrous for our planet.

The international community has gotten together and said: What do we need to aim at in order to avoid these catastrophic consequences? There will be serious consequences. We already have serious consequences and we can't avoid them. How do we avoid catastrophic consequences? The general position they have put forward is that we need to limit the warming of the planet to no more than 2 degrees centigrade. In the United States, we primarily operate in terms of Fahrenheit, so we translate 2 degrees centigrade to 3.6 degrees Fahrenheit.

Since the time we started burning coal until now, we have already raised the temperature of the planet about half that amount—1 degree centigrade or 1.8 degrees Fahrenheit. So we are already halfway toward the limit beyond which the effects become more and more catastrophic. As scientists have evaluated that 2,800 gigatons of carbon dioxide trapped in fossil fuels and asked how much more can we burn, they essentially have come to the conclusion that we can burn about one-fifth of it—one-fifth of the proven reserves.

Let's translate what that means. That means, to avoid catastrophe, we have to leave 80 percent of the proven reserves in the ground. This is an enormous challenge for human society—for governments and policymakers and individuals across the planet—to undertake because every owner of those proven reserves has the knowledge that their coal, their oil, their natural gas has substantial value on the market. They want to preserve the ability to extract it out of the ground and sell it for combustion. For example, some oil is used in making plastics, but the great majority is utilized in combustion—the creation of energy. That is where this challenge is coming from.

So how do we go about creating policies that keep 80 percent of the proven reserves in the ground, when they have so much value to their owners and the owners want to retain the ability to extract them? That is the challenge we face. It is an extraordinarily difficult challenge.

The reason I particularly want to emphasize this "Keep It in the Ground" movement is it shines a bright light on this carbon math, this global warming math.

When we talk about, well, the planet is getting warmer, and we have to burn less so we need to make our buildings more energy efficient, that is absolutely true, and we should do everything to make our buildings more energy efficient, but it doesn't convey the fundamental understanding of the size of the challenge we face, which is to keep 80 percent of the proven reserves in the ground.

When we talk about the need to make our cars more fuel efficient in order to burn less gasoline, which means burn less oil to produce less carbon dioxide, that is true. We absolutely need to make our cars more energy efficient, but talking about that doesn't convey the enormity of the challenge, which is to keep 80 percent of the proven reserves in the ground. When we talk about the need to move more freight on trucks that are more efficient and shift more freight to trains because they are more fuel efficient, that also is absolutely true, but again it doesn't convey the key challenge.

As we look at each of these areas of strategy and conservation, all of them are tools we are going to need to use to keep our reserves in the ground. We are also going to need to use other tools. Those tools certainly involve a quick pivot to produce more renewable energy to substitute for the electricity that is generated by the burning of coal and the burning of natural gas. We have to pivot quickly, but again, when we talk about pivoting quickly, it doesn't convey the size of the challenge.

What is that challenge? We must leave 80 percent of the proven reserves in the world in the ground. That is the challenge. So we must do energy conservation. We must proceed to pivot quickly to renewable energy, but we

need to understand the urgency, the speed with which we do so because we have a limited carbon budget.

On this chart, the layout in the orange bar is the size of the proven reserves that are in the ground. Here, with this yellow bar, is the amount of fossil fuels we can burn and not exceed 2 degrees centigrade or a 3.6-degree Fahrenheit temperature change.

As we can see, the vast bulk of the reserves that are in the ground have to be left in the ground. That is the 80 percent that has to be left in the ground. This "Keep It in the Ground" movement is all about understanding this core carbon math and crafting policies in which we emphasize that we are on a pathway to achieving success; that is, to leave this 80 percent in the ground.

This also leads to a conversation about the U.S. ownership of a vast amount of fossil fuels. You and I, as citizens of the United States, we are owners of a huge amount of coal, a huge amount of natural gas, a huge amount of oil. We don't think of ourselves as energy barons, but each and every one of us as citizens collectively own a vast amount of fossil fuels because on Federal land there is a tremendous amount of oil, a tremendous amount of coal, and a tremendous amount of natural gas. We have the responsibility in the Senate and in the House and in the executive branch to manage what we own as citizens of the United States for the public good.

In the past, managing for the public good meant let's do leases and raise some revenue for the Federal Government, and we have leased out about 10 percent of the carbon reserves that we own as citizens—our citizen-owned carbon, fossil fuel reserves—but 90 percent of it has not been leased out. When we do a lease, it creates a legal contract in which the individual company that has purchased the lease now has the right to extract that oil, to extract that natural gas, to extract that coal for years to come, and to renew the lease. There are many leases that result in extraction going on for decades—for 10 years, for 20 years but even three decades, four decades, five decades into the future. We cannot afford, as Americans or as citizens of this planet, to be facilitating the extraction of fossil fuels to be burned three, four, or five decades into the future. There is no way that the world is going to meet this challenge of keeping 80 percent of the carbon in the ground, 80 percent of their fossil fuels in the ground if the public entities can't even exercise discipline not to extract and burn these fossil fuels.

So how much do we own? How big of oil barons are the citizens of the United States? How much oil and natural gas and coal do we have? Well, the total amount measured in terms of carbon dioxide is about 300 to 450 gigatons. That is this green bar. If we think about the 80 percent we leave in the ground, that substantial amount,

which is over 2,000 gigatons, this amount we own as citizens is a substantial percentage. It has been estimated to be in the range of about 14 to 20 percent of the amount the world needs to leave in the ground.

So if we make the decision as Americans to leave what we own in the ground to save our planet, we have helped set the world on a course in which we reach this 80 percent target of what is left in the ground, but if we can't exercise discipline and quit leasing out our fossil fuel reserves, often at \$1 or \$2 per acre—if we can't stop that, how can we anticipate adopting the policies necessary to help lead the world in this enormous challenge?

So this has led to the keep-it-in-the-ground bill I introduced last year. The keep-it-in-the-ground bill says the fossil fuel reserves that you and I own best serve the public good by not burning them, by not doing new leases for extraction—extraction that will continue 30, 40, 50 years into the future; that we cannot afford to do that without devastating consequences to our planet. The existing leases—we have already leased out 10 percent of the fossil fuel reserves, which means there isn't a complete shutdown of the fossil fuel enterprise on public lands, but it does mean we are not going to go any further or, as it has been put, if you are in a hole, quit digging. In this case, we are in a carbon hole and we absolutely need to quit digging.

There have been a number of Senators sign on to the keep-it-in-the-ground bill, recognizing the best, highest use of our citizen-owned fossil fuels is to keep them in the ground, and I appreciate their support a great deal.

There has also been a series of conversations around the country since the time the bill was introduced that have been very relevant or related to these issues. The first conversation was about the Keystone Pipeline. Should we build a pipeline that turns the tap on to some of the dirtiest fossil fuels on the planet, the Canadian tar sands? The answer is no. Those tar sands need to be left in the ground. We need a Canadian keep-it-in-the-ground movement to say that Canada, too, is going to utilize its citizen-owned fossil fuels at the highest purpose, which is to leave them in the ground, to keep them in the ground. Certainly, the United States shouldn't be facilitating the extraction by building a convenient, cheap way to move those fossil fuels out of the ground. So I applaud all of those who stood with humanity in this key mission and said no to the Keystone Pipeline.

Another aspect has been offshore drilling. There was a big conversation about drilling in the Arctic. The Arctic, because it is so cold and frozen and full of ice, has been a terrain, particularly offshore, where drilling is extraordinarily difficult, with extreme risk of oilspill. Should an oilspill occur in very cold water, that means the damage will be enormous because the

oil will break down so slowly. So I put forward a keep-it-in-the-ground bill for no offshore drilling in the Arctic. And that is not the bill we have had action on here in the Senate, but, as it turns out, we have moved forward. Shell, which was the leading company to explore offshore in the Arctic, sent ships up for several years. They had one calamity after another, one disaster after another because of the harsh and challenging circumstances. Citizens in the United States, in a grassroots movement, said: Shell, no. Shell, no. This is wrong. This is the height of irresponsibility to our environment and to have the U.S. leading extraction in a whole new area. We should be leading the Arctic nations and leaving the Arctic off limits as part of this "Keep It in the Ground" movement, not leading the front edge of extraction.

Well, Shell abandoned its leases, both because of the difficulty of drilling and because of citizen reaction here at home saying what they were doing is wrong. I thank Shell for ending its Arctic drilling program, and I thank the administration for saying that they are not going to issue any more leases for drilling in the Arctic waters.

Let's go further. The United States is the chair of the Arctic Council. Let's use that chairmanship to lead nations in putting the Arctic off-limits. That would be a tremendous collaborative effort among a small group of nations to move forward this "Keep It in the Ground" movement and to save our planet.

Another big piece of this conversation has been about coal leases. As I mentioned, we often lease acres of coal for just a few dollars. It is no substantial revenue in the large scheme of things to the United States. It is hugely beneficial to the cheap extraction of coal, though, which is the opposite of the direction we need to go. So we need to quit doing new coal leases. That is part of the keep-it-in-the-ground bill I introduced. No more leases of citizen-owned fossil fuels. And the Obama administration has now suspended its leases on coal, new coal leases. That is a tremendous event. Part of what the administration said was that we need to pause and evaluate the impact on global warming in doing these leases.

We need to also evaluate the impact on American leadership in the world on this major issue facing humanity. If we are telling other nations "Please don't burn coal. Please expand your use of renewable energy and do it quickly," how is that consistent? How is our plea for partnership—because we must do this as a collection of nations—how is our request for partnership in this great and important mission of our generation consistent with us continuing new leases of coal? It certainly is not consistent. We need to put an end to these coal leases, and I applaud the administration. And in the next administration, whether it is Democratic or Republican, we need to work to-

gether to do no new coal leases. So that was a tremendous step forward in this effort.

Back in December, nearly 200 nations came together to work together to create an international accord with the singular goal of reducing the burning of fossil fuels and converting to renewable energy or reducing the burning of fossil fuels because of energy conservation. The countries made a variety of pledges. One of those countries that made those pledges was India. I had a chance to lead a bilateral meeting between legislators from the United States and members of the Government of India. They said: We have 300 million citizens in India who do not have access to electricity. As a national government, we have to expand our electric infrastructure to provide electricity for a basic standard of living and basic economic development.

We can certainly understand that mission. We went through rural electrification. Our goal was to make sure there was wiring in every house in America to improve the standard of living for Americans. So Americans we are certainly understanding of the goal of the Indian Government.

They proceeded to say this: Right now we plan to provide electricity to 100 million individuals through renewable energy and 200 million citizens of India through coal-burning power.

It almost causes your heart to sink, this plan for massive increases in coal-burning in India.

So here is an opportunity. How can we in the United States work with India so they can meet that demand of 300 million citizens with conservation and renewable energy rather than new coal plants? How can we work in partnership with China as they work to provide electricity to their hundreds of millions of individuals and to do so with renewable energy and conservation, not new coal-burning plants? This is a challenge for us, and an important challenge, but we certainly have no credibility talking to India about trying to make sure they do no new coal-burning plants if we are signing new leases to extract coal off of our public lands. Credibility is very important in this international conversation.

It has been said that we are the first generation to feel the impacts of global warming and we are the last generation to be able to do something about it. That is profoundly true. That is the moral challenge to American leaders in our generation. That is the moral challenge to international leaders in our generation. Our children and our children's children, our children's grandchildren and great-grandchildren are going to say: You were the generation that saw the impact of global warming on our Nation and on our planet, and you knew from the science that we had to move quickly to pivot off of fossil fuels, and yet you did too little and you damaged the quality of life for billions of children and children of children for generations to come because of your short-term failure to act.

Let that not be the story told by our children and our grandchildren and our great-grandchildren. Let them instead say: That generation was the first to see the impact of global warming and know they had to act quickly to reverse the steady climb of temperature on our planet. Let's thank them because they saw the challenge and they acted, and we are forever indebted to them for doing so.

Let that be the story that is told. Let this be the moment that we act.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, in about 15 minutes, the Senate will vote on final passage of the Energy and Water appropriations bill that the Senator from California, Mrs. FEINSTEIN, and I have been working on with Members of the Senate for the last few weeks. The Senate began consideration of this bill on Wednesday, April 20.

According to the Congressional Research Service, this is the earliest date the Senate has begun debating an appropriations bill in the last 40 years. When we finish today, this will be the earliest the Senate has passed an appropriations bill in the last 40 years.

Eighty Senators either submitted requests or offered amendments to the bill. Senator FEINSTEIN and I have worked hard to accommodate most of those. The last time this bill, the Energy and Water appropriations bill, was considered by the Senate and passed in regular order was in the year 2009. By "regular order," I mean it came to the floor, it had an open amendment process, all 100 Senators had a chance to participate in it, instead of just the 30 on the Appropriations Committee, and it was eventually voted on and approved.

Yesterday, the Senate voted to end debate on the substitute amendment by a vote of 97 to 2. As I mentioned, today we are ready for final passage in about 15 minutes. By the end of this process, we will have considered 21 amendments and adopted 14.

I appreciate my colleagues supporting the regular appropriations process. I thank Senators who offered germane and relevant amendments, and I hope we can now overwhelmingly pass the bill.

I begin by pointing something out. It is appropriate that we have in the chair the Senator from Georgia, who has devoted so much of his time this year to reforming our budget process.

This is the part of the budget that we are working on. It is a little more than a trillion dollars, and it is not the Federal spending problem that we have.

This is 2008 through about today, and you can see that spending levels are pretty flat. This is the projection by the Congressional Budget Office about where spending for this part of the budget will go over the next several years.

What is in this blue line? It is all of our national defense; all of the work we need, such as in this bill, to deepen the harbors in Savannah and in Charleston; all the money for our national laboratories; all the money for our Pell grants for college students; and the money for the National Institutes of Health for treatments and cancer cures. In this part of the budget—in this trillion dollars that we work on—there are very important matters that virtually everyone who votes for us would like to see us address. I believe those of us on the Appropriations Committee have done a good job of oversight of this trillion dollars in spending.

Here is where the problem is—this red line. This is the entitlement spending. It gets to be three times as much as this blue line. It is up toward \$4 trillion. This is \$1 trillion.

This is where we need to go to work. Sometimes Senators of each party will come to the floor and beat their chests, bragging about cutting this blue line as if they were doing something about the red line. I hope we will stop that. I hope we will go to work and figure out what we are going to do to responsibly keep this line under control as we go forward.

What we have done—with the co-operation of the Senate in the last couple of weeks—is to pass the first of the Senate appropriations bills and to do it earlier than it has been done in the last 4 years.

I see the Senator from California has arrived. I wish to acknowledge her leadership and thank her for it. In her words, we give and we take. We have a process whereby we stick to our principles, but we do our best to come to a result, which we have done. It is a great pleasure to work with her.

I am going to cease my remarks 5 minutes or 6 minutes before the vote so that Senator FEINSTEIN will have a chance to speak if she would like to speak.

Mrs. FEINSTEIN. Thank you.

Mr. ALEXANDER. I also wish to thank the staffs for their work on this bill. They have been remarkably good. In Senator FEINSTEIN's staff are Doug Clapp, Chris Hanson, Samantha Nelson, and Tim Dykstra.

The staff on my side includes Tyler Owens, Adam DeMella, Meyer Seligman, Jen Armstrong, Haley Alexander, David Cleary, Allison Martin, Mackenzie Burt, Lucas DaPieve, Kayla McMurray, and John Rivard.

Then I thank the Republican floor staff, who have had to put up with us as we have had tried to work through the amendments: Laura Dove, Robert Duncan, Megan Mercer, Chris Tuck, Mary Elizabeth Taylor, Tony Hanagan, Mike Smith, and Katherine Kilroy.

I thank the Democratic floor staff as well for working with us and making this possible.

I will make a few remarks about this bill. This bill is almost half and half defense and nondefense, about \$37.5 billion. It supports several Federal agencies that do important work, including the U.S. Department of Energy, Nuclear Regulatory Commission, Army Corps of Engineers, Bureau of Reclamation, National Nuclear Security Administration, which has to do with our nuclear weapons, and the Appalachian Regional Commission.

It invests in our waterways. It repairs our locks. It deepens our harbors. It puts us one step closer to doubling basic energy research. It helps to resolve the nuclear waste stalemate that our country has been in for 25 years, finding appropriate places to put used nuclear fuel so we can continue to have a strong nuclear power program—which produces 60 percent of all the carbon-free electricity we have in this country—and it cleans up hazardous materials at Cold War sites.

I mentioned earlier that I thought we had done a good job of being stewards of the taxpayers' dollars. That is this blue line here. We have kept this under control.

For example, Senator FEINSTEIN and I have again recommended—and the Senate has agreed—to eliminate funding for a fusion project in France. That saves us \$125 million.

We worked together to help keep big projects such as the uranium facility at Oak Ridge on time and on budget. We are working with Senator GRAHAM, Senator SCOTT, and Senator MCCAIN to try to take the big MOX facility in South Carolina and see what we can do about the huge expense of what we are doing there. We are being good stewards.

The President cut \$1.4 billion from the Corps of Engineers. Well, we put it back. We set a new record level of funding for the Corps. There is no funding line in this budget that more Senators are concerned with.

It includes \$1.3 billion for the Harbor Maintenance Fund. It is the third consecutive year that we have done that, consistent with the recommendations of our authorizing committees. That deepens harbors in Gulfport, Charleston, Mobile, Texas harbors, Louisiana harbors, Anchorage Harbor, and Savannah Harbor. There is money for the west coast harbors as well.

We take a step toward doubling basic energy research. Our top priority was the Office of Science, which for the second consecutive year has a record level of funding for an appropriations bill.

There is \$325 million for ARPA-E, an agency we value because of the good work it does.

We support the administration's request to keep the United States at the forefront of supercomputing in the world.

As I mentioned, we support nuclear power, especially efforts to find places to put used nuclear fuel.

We have again included the pilot program Senator FEINSTEIN authored, and which I support, and support for private waste facilities that could also serve that same function.

We have money for advanced reactors and for safely extending the length of time nuclear plants can operate, which is the easiest way to keep the largest amount of reliable carbon-free electricity available over the next several years.

In terms of the National Nuclear Security Administration, we support the warhead life extension programs and the *Ohio*-class replacement submarine. We have \$575 million for the uranium facility, and \$5.4 billion for cleaning up hazardous wastesites left over from the Cold War.

I am proud of the bill, but I am even more proud of the process which we have gone through. This has almost been a learning process for the Senate. More than half of the Senators have never been through a process where we take more than one appropriations bill, take it through committee, consult with every Member of the Senate, bring it on the floor, and give all 100 Members a chance to offer amendments and consider their amendments.

We have processed 21 amendments and have adopted 14. Almost any Senator who had a contribution to make that they wanted to make to this bill has had a chance to do that. There is a great deal included in here that every Senator can be proud of. I suspect that is why on the last vote that we had to cut off debate and move toward final passage, the vote was 97 to 2.

I hope we have that same enthusiasm when it comes time in a few moments to have a vote on final passage of the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I wish to begin by extending my congratulations to our chairman.

You are a distinguished chairman, and it really has been a great pleasure for me to work with you. I think we have accomplished a task which hopefully sets an example for other bills that will be shortly forthcoming. But, more importantly than anything, it is really the integrity, sincerity, and earnestness with which you go about this job of chairing this subcommittee. I am very pleased to be Tonto to your Lone Ranger. So thank you very much for that.

The chairman has been very distinct in his remarks about pointing out some of the major features, but we have one major infrastructure program in our bill, and that, of course, is the Army Corps of Engineers—other than, I should say, the highway bill.

That is \$1.4 billion over the budget request. I think that is a very good number that should enable more projects that are vital all across this great land to move forward.

The second is the Bureau of Reclamation, and that is \$163 million over the

budget request. It includes \$100 million for western drought.

We have 17 States within the Bureau of Reclamation's jurisdiction. What is happening with dryness in the western part of the United States is really a very serious threat to the economic and social well-being of our country. I am very pleased at that mark.

All applied energy accounts are funded at levels equal to current-year levels. We have increased funding for cleaning up nuclear sites, including the WIPP site in New Mexico and the Hanford site in the State of Washington. We matched the budget request for nuclear nonproliferation. Actually, this includes MOX funding of \$270 million.

The chairman spent some time on the floor, and I did as well, in terms of making the point that what appropriations bills really concern is but 15 percent for what is called domestic discretionary and 15 percent for military discretionary. Together, they are but 30 percent of what the Federal Government expends and outlays each year. The fact of the matter is that 63 percent of the money that is spent in a given fiscal year—2016—goes for entitlements and mandates: Social Security, Medicare, Medicaid, veterans' benefits, and all the other mandatory programs. They are not actually in the budget.

This is the huge spending, and interest on the debt is 6.3 percent. That brings the mandatory spending up to nearly 70 percent of what we spend in fiscal year 2016. In fiscal year 2017, it will go up slightly from there so that the relative amount of spending that these bills contain is very small in comparison to the amount the Federal Government actually spends.

There are a lot of people who think we should do more with entitlements and increase that 63 percent of total spending to even more. That is a question that remains to be seen, but how you pay for all of that is a totally different and more difficult story.

I extend my congratulations to the distinguished Senator from Tennessee on passing this bill. We have not passed a free-standing Energy and Water bill on this floor for 7 years, since 2009, when Senators Dorgan and Bob Bennett were chair and ranking member. Not only are we passing the bill, but we are passing a good bill.

I thank the subcommittee staff for their work. Interestingly enough, the staff had only 12 days from receiving a notional allocation, which is how much we can spend, to help us produce a bill and report it for subcommittee consideration.

So let me thank Tyler Owens, Meyer Seligman, Adam DeMella, Jennifer Armstrong, and on our minority side, Doug Clapp, Chris Hanson, Samantha Nelson, and Tim Dykstra for their hard work.

I would also like to recognize the work done by Senator ALEXANDER's personal office and my own in helping get this bill passed.

Frankly, I want to thank the floor staff on both sides of the aisle. They were really helpful and, in addition to that, they were patient and willing to provide some guidance. So I thank them as well.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

AMENDMENT NO. 3876

The question is on agreeing to Flake amendment No. 3876.

The amendment (No. 3876) was agreed to.

AMENDMENT NO. 3801, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment No. 3801, as amended.

The amendment (No. 3801), as amended, was agreed to.

The PRESIDING OFFICER. Under the previous order, the cloture motion on H.R. 2028 is withdrawn.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—90

Alexander	Feinstein	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Hatch	Reed
Booker	Heinrich	Reid
Boozman	Heitkamp	Risch
Brown	Hirono	Roberts
Burr	Hoeben	Rounds
Cantwell	Inhofe	Rubio
Capito	Isakson	Schatz
Cardin	Johnson	Schumer
Carper	Kaine	Scott
Casey	King	Shaheen
Cassidy	Kirk	Shelby
Coats	Klobuchar	Stabenow
Cochran	Lankford	Sullivan
Collins	Leahy	Tester
Coons	Manchin	Thune
Corker	Markey	Tillis
Cornyn	McCain	Toomey
Cotton	McCaskill	Udall
Crapo	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden

NAYS—8

Cruz	Heller	Sasse
Fischer	Lee	Sessions
Flake	Paul	

NOT VOTING—2

Boxer	Sanders
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The bill (H.R. 2028), as amended, was passed.

The PRESIDING OFFICER. The Senator from Tennessee.

MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate be in morning business for 20 minutes, equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. ALEXANDER. Mr. President, I would like to reiterate something I am sure Senator FEINSTEIN would agree with. First, I thank the majority leader for scheduling our bill early. He scheduled it earlier than any appropriations bill has been scheduled in the last 40 years. The reason I am sure she agrees with that is because she told me that and because not only did the majority leader make this a priority but so did the Democratic leader, Senator REID, and all of the Democratic Senators.

We worked hard to try to set an example for the Senate for the next 11 appropriations bills. According to the Congressional Research Service, this is the earliest the Senate has passed an appropriations bill in the last 40 years. More than that, the vote was 90 to 8, which is an unusually large bipartisan vote for such a large and complex bill. I think that reflects on the fact that more than 80 Senators made contributions to this bill. We processed more than 21 amendments. Our experience is, when Senators have a lot of input into a bill, they are more comfortable with it and more likely to support it.

I especially thank not just the leaders but the Republican and the Democratic floor staffs for helping us with this. Passing a bill like this is more of an exercise in human nature sometimes than it is an exercise in policy, and they are the essential grease in making that happen. I thank them very much for it.

This is the basic constitutional work of the U.S. Senate. Both the Republican and Democratic leaders have gotten us back on track in doing this. I appreciate having the chance to be a part of it. I thank the Senators for their cooperation with Senator FEINSTEIN and me as we set out to get what I believe is an excellent result for the people of this country.

The PRESIDING OFFICER. The majority leader.

WORK OF THE SENATE

Mr. MCCONNELL. Mr. President, the American people have been frustrated in recent years with the dysfunction they see in Washington. Their assessment of us has been correct. The biggest symbol of dysfunction has been the inability, as the chairman of our Energy and Water Development Subcommittee just pointed out, to do the basic work of government.

There are 12 bills that fund the government, the basic work of government. We haven't passed each of those 12 bills since 1994. So under majorities of both parties, we have had at least some degree of dysfunction, and in recent years they all get balled up into one great big bill. It looks awful, and that is no way to conduct the affairs of the government.

I said that we were going to devote the floor time, which is always at a premium in the Senate, to give us a chance to do the work of what we were sent to do, regardless of party. Fortunately, we had Chairman ALEXANDER, who is arguably the best—or maybe the second best only to the Senator from Maine—bill manager on our side, take up the first bill, and there were some snags along the way. It took a little bit longer than we had hoped, but we have completed it. We have completed it at a record early time. We are going to keep on doing this right up until we break on July 15 to go to the conventions.

We are going to give the Senate every opportunity to do the basic work of government this year. Some have said that because it is an election year, we can't do much. I would like to remind everyone that we have had a regularly scheduled election in this country every 2 years since 1788 right on time. I heard some people say we can't do it because we have an election next year, and others have said we can't do whatever it is because we have an election this year. We have elections in this country right on time, and that is not an excuse not to do our work.

We will turn to transportation, which is chaired by the Senator from Maine, Ms. COLLINS, and military construction, chaired by Senator KIRK. We are going to bind those two together and move them across the floor, and then we are going to turn to the National Defense Authorization Act and pass that before the Memorial Day break, and then we are going to turn to the Defense appropriations bill right after authorization, and hopefully we can do that in a record short period of time because all of the amendments should have been offered on the authorization bill which will come right before it.

I thank Senator ALEXANDER for his good work and look forward to having Senator COLLINS pick up the baton and continuing the great progress we are making.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before the Senator from Tennessee leaves the

floor, I, too, wish to commend him for his excellent stewardship of this highly complex appropriations bill and for the cooperative way in which he worked with the ranking member, Senator FEINSTEIN, and indeed all of the Members, not only those on the Appropriations Committee but the entire Senate. Senator ALEXANDER deserves a great deal of credit.

I also commend our leader for making it a priority for us to get the appropriations work done. Never before in recent years have we started the process so early. The Appropriations Committee has completed its hearings, we have marked up several bills, and we are proceeding with floor consideration. This will avoid a situation that I believe all of us really abhor, and that is being faced with voting for repeated continuing resolutions at the end of the fiscal year which lock in last year's priorities and do not reflect this year's priorities, or the bills are bundled together into an omnibus bill that is many thousands of pages long and does not receive the kind of in-depth debate and amendments it deserves. I commend the leader of the Senate for making this a priority and for ensuring that we are all doing our job.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senator from Arizona be permitted to speak in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

FEDERALLY FUNDED RESEARCH

Mr. FLAKE. Mr. President, in the fall of 2014, an outbreak had the world on edge in West Africa. The Ebola virus had come about, and three countries were being decimated. It was at this time that the director of the National Institutes of Health gave an interview where he argued that a vaccine would likely be available if the Congress had enough funding for the agency. He added that the Ebola virus had forced NIH to divert money from other critical research.

These are striking charges, especially for an agency that has a budget of \$30 billion. So it stands to reason that if underfunding NIH was allowing a crisis such as this, we ought to be appropriating more money to the agency.

We cannot ignore the fact, obviously, that at that time the Nation was \$18 trillion in debt and running nearly a half-trillion-dollar deficit. So I began to look into NIH funding and some of the research projects that were being

funded. Here are some of the questions I found researchers were trying to find answers to.

One of the questions they were trying to find answers to at the NIH, and this was part of a taxpayer-funded study or grant, is: Why do some people see Jesus's face on toast? That is right, a taxpayer-funded study to determine why people see the face of Jesus on toast.

Another study that was funded by NIH is: Do drunk birds slur when they sing? That was part of a \$5 million NIH grant that found not only is the answer yes, but according to NIH standards, there is a binge-drinking bird out there now.

They also wanted to answer the question of: What type of music do monkeys and chimpanzees prefer to listen to? I am not sure what is more surprising, the fact that the NIH wanted to study this or that the answer is Metallica.

Another thing they wanted to study: Is yawning contagious? I would say anyone who has ever listened to a Senator give a speech knows the answer is yes, but the NIH decided to spend taxpayer money to study it anyway.

So I began seeing projects being funded by other research arms within the Federal Government, including the National Science Foundation and DARPA in the Defense Department. Here are some of the questions those agencies are using their multibillion-dollar budgets to try to answer: Where does it hurt to be stung most by a bee? One researcher used part of a \$1 million NSF grant to sting each part of his body. He came to the conclusion it is most painful on the nostrils or on the lips or on other, shall we say, more sensitive areas, although he admitted his adviser would not allow him to be stung on the eyeball so we really don't know which body part holds the title of being the most painful.

Another thing that was studied by NSF and DARPA is: Who will be America's next top model? That is right. Taxpayer money was spent to try to find out who would be America's next top model. Researchers used taxpayer money to scour Twitter and Instagram to develop scientific models that could forecast success for models in the fashion industry. It turns out that having a strong social media presence helps more than meeting the industry's "aesthetic standards." This is a phenomenon the researchers dubbed the "Kendall Jenner effect." Not surprising there.

Another study was: Are chimpanzees better gamers than humans? At least one chimpanzee that was sometimes bribed with candy to keep working was better than humans at gaming. Unfortunately, that chimpanzee has since died from complications from diabetes. That study which found that humans are not above trying to cheat in order to beat a chimp at a video game was part of a \$340,000 grant awarded by NSF and NIH.

I am not going around here trying to say that NIH, NSF, DARPA, and other

federally funded research is a waste of money. It is not. To the contrary, I believe federally funded research can do wonderful and amazing things.

In 1961, at the height of the Cold War, the United States faced the Soviet Union in a heated space race. President John F. Kennedy stood before Congress and aimed for the Moon. He said:

I believe this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to the earth. No single space project in this period would be more impressive to mankind, or more important for the long-range exploration of space.

Armed with a clearly defined goal and backed by concentrated research from the Federal Government, America's best scientists, researchers, and engineers got to work. Eight years later, Neil Armstrong and Buzz Aldrin were walking on the Moon. That is a towering feat that no country has ever been able to repeat. More than a half century later, that moonshot stands in stark contrast to a massive and disorderly constellation of federally funded science projects floating aimlessly in the Federal budget.

Projects that ask, for example: Are Republicans or Democrats more disgusted by eating worms? This researcher whom you will see in this picture found that the answer is that Republicans are more disgusted. That said, once folks hear that this study was funded with taxpayer money—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FLAKE. Mr. President, I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. When folks hear that this study was funded by taxpayer dollars, I am sure there will be equal disgust by both Republicans and Democrats.

Another study was funded to see if one can outrun a dinosaur. The NSF and NIH gave taxpayer dollars to enterprising researchers who are not deterred by the fact that dinosaurs are now extinct. They found an alligator was close enough. They had to put him on a treadmill to find out how fast he could run. They found out what nobody—certainly not even the Presiding Officer from Louisiana—would discover; that alligators don't like treadmills very much. He wasn't very cooperative, but they went ahead with the study, and found that humans could probably outrun a dinosaur. It is a good thing.

"Are cheerleaders more attractive when they are a part of a squad?" was another study we funded. This was a NSF taxpayer-funded grant that was actually inspired by the sitcom "How I Met Your Mother." They had something on that show called the cheerleader theory. Researchers found that the answer is, yes, cheerleaders are more attractive as part of a squad than individually. Their tongue-in-cheek re-

search paper postulates that "having a few wingmen or wingwomen may indeed be good dating strategy, particularly if their facial features complement, and average out, one's unattractive idiosyncrasies."

That brings us full circle, as the White House has asked Congress to appropriate \$1.5 billion for emergency spending to tackle the latest crisis, Zika. I believe we do need to find a solution and a vaccine for the Zika virus, but we ought to look hard at the other things that these agencies are spending money on as we talk about more money for these research projects.

To that end, I have released "Twenty Questions: Government Studies that will Leave You Scratching Your Head." This is a study—you can see the cover here—the report not only profiles many of the questionable projects I have highlighted today, it seeks to set a path to ensure that our money is spent wisely.

The report recommends that these agencies set clearly defined national goals and objectives for federally funded research. Following the example set by President Kennedy's moonshot more than a half century ago, we ought to give the agencies a clear mission.

The report also recommends that agencies prioritize billions of dollars in existing Federal research funding to best meet the national goals in a manner that strengthens America's scientific leadership. We also need to ensure that these research projects are transparent. So when funding goes to these research projects, we ought to know how much is spent on each individual project, not just the broader grant. We don't know exactly how much money was spent on the cheerleader effect because we can't—they will not tell us.

I have introduced legislation in concert with this report which will require that the Federal agencies actually tell us how much money is spent on these individual projects.

It is time Washington sets clear goals for federally funded research and we improve transparency measures. I hope we can do so.

With that, Mr. President, I yield back.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CASSIDY). Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and

Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins/Reed amendment No. 2812, in the nature of a substitute.

Collins/Reed amendment No. 2813 (to amendment No. 2812), to make a technical amendment.

AMENDMENTS NOS. 2812 AND 2813 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the pending amendments are withdrawn.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 3896

(Purpose: In the nature of a substitute)

Ms. COLLINS. Mr. President, I call up the Collins-Kirk substitute amendment No. 3896.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 3896.

Ms. COLLINS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 3897 TO AMENDMENT NO. 3896

Mr. MCCONNELL. Mr. President, I call up the Lee amendment No. 3897.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. LEE, proposes an amendment numbered 3897 to amendment No. 3896.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development)

At the appropriate place in Division A, insert the following:

SEC. ____ None of the funds made available by this Act may be used to carry out the final rule of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or to carry out the notice of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing Assessment Tool" (79 Fed. Reg. 57949 (September 26, 2014)).

AMENDMENTS NOS. 3898, 3899, AND 3900 TO

AMENDMENT NO. 3896

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following amendments be called up and reported by number: the Nelson amendment No. 3898, on Zika; the Cornyn amendment No. 3899, on Zika; and the Blunt-Murray amendment No. 3900, on Zika.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for others, proposes amendments numbered 3898, 3899, and 3900 en bloc to Amendment No. 3896.

(The amendments are printed in today's RECORD under "Text of Amendments.")

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Nelson amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3898 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Marco Rubio, Debbie Stabenow, Harry Reid, Sheldon Whitehouse, Richard J. Durbin, Al Franken, Jeanne Shaheen, Robert Menendez, Brian E. Schatz, Joe Manchin III, Bill Nelson, Charles E. Schumer, Michael F. Bennet, Edward J. Markey, Benjamin L. Cardin, Tom Udall, Gary C. Peters.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Cornyn amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3899 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Blunt-Murray amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3900 to amendment No. 3896 to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roy Blunt, Roger F. Wicker, Marco Rubio, Lamar Alexander, Richard C. Shelby, Thad Cochran, John McCain, Michael B. Enzi, Jeff Flake, John Cornyn, Shelley Moore Capito, Johnny Isakson, Richard Burr, Bob Corker, Susan M. Collins, John Hoeven.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to begin the Senate debate on the fiscal year 2017 appropriations bill for Transportation, Housing and Urban Development, and Related Agencies.

This bill funds many programs that are essential to the American people. Let me begin by thanking the committee chairman, Senator COCHRAN, and the vice chairwoman, Senator MIKULSKI, for their leadership in advancing this bill.

I also want to pay a special thank-you and acknowledge the hard work and commitment of Senator JACK REED, the ranking member of the subcommittee. The two of us have worked together so closely in drafting this bill, and we have worked to incorporate the recommendations of more than 70 Senators from both sides of the aisle.

This bill targets limited resources to programs that meet our most essential transportation and housing needs. It makes vital investments in our Nation's transportation infrastructure, providing \$16.9 billion for the Department of Transportation to support much needed upgrades to our roads, bridges, seaports, railroads, transit systems, and airports.

The bill will also provide \$39.2 billion for the Department of Housing and Urban Development to meet the housing needs of low-income, disabled, and older Americans, to shelter the homeless, and to create jobs in our communities through economic development programs.

I want to underscore for our colleagues that we have met these essential needs in a fiscally responsible manner. Our bill is \$827 million below

the current enacted funding levels, and \$2.9 billion below the President's budget request. We have also ignored gimmicks in the President's budget request that would shift more than \$7 billion in transportation programs from discretionary to mandatory spending.

The bill before us is critical to meeting the vast needs of our Nation's crumbling infrastructure. The TIGER Program is an example of a valuable program that helps do just that. We provide \$525 million for this oversubscribed program, which supports not only much needed infrastructure projects but also helps to create jobs and boost economic development in every one of our home States.

The need for the TIGER Program is demonstrated by the statistics. Last year, 625 applicants from all 50 States and territories requested nearly \$10 billion in assistance illustrating the need for and the popularity of this vital program. To maintain our Nation's airspace and ensure that it remains the safest in the world, \$16.4 billion is provided to the Federal Aviation Administration.

Funding is increased to continue to modernize the Nation's air traffic control system, support the research and safe integration of unmanned aircraft systems into the airspace, and to help improve our Nation's airport infrastructure.

Consistent with the FAST Act, which we passed at the end of last year, \$44 billion is made available for the Federal-Aid Highway Programs, including the new freight program and the FASTLANE grant for critical freight and highway projects. I also want to highlight several safety-related provisions included in our bill that will enhance the safety of commercial motor carrier vehicles.

Regrettably, the Department of Transportation has continued to delay its proposed rule on speed governors which will improve safety on our Nation's roadways by preventing commercial trucks and busdrivers from speeding. Once again, our bill requires the Department to issue the proposed rule expeditiously since the Department has already missed the deadline established in last year's omnibus funding bill by Congress.

The growth of autonomous vehicle technologies, or driverless cars, has led the Department to reexamine existing regulations and policies that could affect the safe deployment of these vehicles. Our bill provides additional funding to ensure the safe deployment of autonomous vehicles onto our Nation's roadways and to reduce the cyber security vulnerabilities in their electronics.

The bill also builds on the critical infrastructure investments for rail, providing \$50 million for railway safety grants to address the serious and troubling problem of rail accidents. Additional funding is provided to help address the substantial backlog of rail infrastructure needing repair.

For housing programs, this bill provides sufficient funding to renew all existing rental assistance for section 8, for public housing, elderly, and disabled housing programs. The Appropriations Committee continues to face constraints that required us to make difficult decisions regarding funding at a time when resources are limited under the 2015 budget agreement.

Our priority is to ensure that our Nation's most vulnerable individuals and families do not lose assistance that prevents many of them from being at risk of homelessness. Therefore, the bill provides necessary funding to keep pace with the rising cost of housing to these families who might otherwise become homeless.

It is important that rental assistance supports those who truly need it. However, we are aware of a recent HUD inspector general report that found that more than 25,000 households had incomes in excess of qualifying limits. We don't have extra money available to pour into households where the individuals don't meet the eligibility requirements. In response to this finding by the IG, we have included language prompting HUD to update its regulations that ensure there is a process in place to identify and transition such households out of public housing when it is appropriate.

The transportation-housing appropriations bill faces challenges stemming from these unavoidable increases for rental assistance for low-income families and disabled and elderly individuals. In fact, rental assistance alone consumes more than half of our subcommittee's allocation and is a shocking 84 percent of HUD's budget. That makes funding other important needs difficult.

Nevertheless, Senator REED and I share a passion about reducing and ending homelessness. Therefore, we have included \$2.33 billion for homeless assistance grants, and we have also managed to make critical investments to reduce homelessness among our veterans and our youth.

To further help homeless young people, we provided \$40 million in grants that are targeting this underserved population. Additionally, to better support youth who are exiting the Foster Care Program, the system includes \$20 million for family unification vouchers and makes changes to this program to improve its effectiveness. I know many Members share our concern that young people who age out of the Foster Care Program should have—must have—somewhere safe to go.

For our Nation's homeless veterans, the bill provides \$57 million, including \$7 million to serve our Native American veterans living on tribal lands. Despite the administration once again this year proposing to eliminate this program, the subcommittee continues to provide funding, recognizing that while we are making progress—veterans homelessness has decreased by 36 percent since the year 2010—we have

yet to reach the goal of ending homelessness among our veterans. As the percentage of homeless veterans continues to decrease, less funding will be needed.

Senator REED played an absolutely essential role in another important issue that we address in this bill; that is, the presence of lead paint in homes, which is of particular concern to families with children under the age of 6. Our bill requires HUD to expeditiously complete its rulemaking to update its lead standards based on the most current CDC guidelines, an action Senator REED and I requested in a February letter to the HUD Secretary.

While this bill helps families in need, it also recognizes the hardships local communities are facing. Boosting local economies is critical to job creation and helping families obtain financial security. Thus, our bill supports local development efforts by providing \$3 billion through the Community Development Block Grant Program and \$950 million through the HOME Program.

These programs support the development of affordable housing and other infrastructure projects, which again promote economic development and lead to job creation in ways that allow local communities to tailor the programs to meet their specific needs.

The bill before us does not solve every problem facing our transportation system or our housing program. We simply don't have the money to do that, even if we had a higher allocation in this era of very high debt. This is a fiscally responsible bill, and it is a bill that sets and reflects important priorities. I very much appreciate the opportunity to present this legislation to the Chamber as we begin the debate on the Transportation-HUD appropriations bill.

I urge my colleagues to consider the careful balance struck by the compromises and the negotiations our committee worked so hard to achieve. Again, I thank the ranking member for being such an extraordinary partner as we sought to write this very important bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to join Senator COLLINS in support of the fiscal year 2017 Transportation, Housing and Urban Development Appropriations bill. I want to join her in commending Chairman COCHRAN and Vice Chairwoman MIKULSKI for their great work, but I particularly want to commend Chairman COLLINS for her extraordinary work, her thoughtfulness, and her diligence. All those aspects are evidenced in this bill.

She has, once again, developed a balanced and thoughtful bill that includes priorities for Members on both sides of the aisle. This bill allows for our Nation to continue moving forward by investing in critical transportation and housing initiatives, and, suffice it to say, without her leadership, we would not be here today with a bill that not

only merits our attention, but also merits our support.

This bill includes policies and funding that will grow our economy, improve the safety of our national transportation system, create jobs, and preserve affordable housing for our most vulnerable citizens.

Working within a tight allocation, this bill makes important contributions to the development and safety of our national transportation system. For example, the bill provides \$16.4 billion to fully fund the needs of the Federal Aviation Administration, including \$1 billion for NextGen modernization activities, which will bring our aviation system to a new level of performance and safety.

This funding level also fully accommodates the needs of contract towers and Essential Air Service, and provides for new safety staff and pay for air traffic controllers.

The very popular TIGER Program, which the Chairman mentioned, is funded at \$525 million. That is a \$25 million increase from last year. TIGER grants allow State and local governments to make transformative investments in their transportation infrastructure that traditional formula grant programs are not able to address.

The fiscal year 2016 grant competition just ended 2 weeks ago for TIGER grants, and the Department of Transportation reports that they have received over 600 grant applications, totaling nearly \$100 billion in requests. This money is extraordinarily important to localities, and we have just barely increased it. Without the Chairman's leadership, however, I don't think that we would have made that increase. Again, I thank her.

There is high demand for this program that is evidenced by these applications. That goes to underscore a point that the Chairman has made about the need for even more significant investment in infrastructure.

This legislation also provides a boost to essential transit programs throughout the country, in order to sustain and expand their services.

This bill provides \$2.3 billion for the Federal Transit Administration's Capital Investment Grant program to help meet growing demand across the country.

This bill also continues investment in the Washington Metrorail system, while holding the system accountable for improved financial management and ensuring that the FTA has the needed resources for strong safety oversight.

Indeed, the bill before us maintains a key focus on safety across all modes of transportation. For example, the bill fulfills the promises of the FAST Act through a \$199 million investment in Positive Train Control grants in order to protect passengers and workers on commuter and interstate rail lines with the next generation of railroad safety technology.

The bill funds new research at the National Highway Traffic Safety Ad-

ministration on the safety and cybersecurity of autonomous vehicles. As autonomous vehicles are integrated into the general driving population, there is the potential to save thousands of lives with this innovative technology. However, an appropriate safety framework must be in place to realize the benefits of this promising transportation revolution.

In addition, the bill continues ongoing crude-by-rail safety initiatives at both the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration. These initiatives will work to ensure the safe transportation of crude oil and crude products across the country.

The bill also provides \$85 million for rail grant programs that were recently authorized by the FAST Act. These grants can be used for rail safety and state-of-good-repair projects, such as Positive Train Control implementation and grade-crossing improvements.

For Amtrak, the bill provides \$1.4 billion. In response to the FAST Act, the THUD appropriations bill now allows the revenue generated on the Northeast Corridor to remain there. Again, this is consistent with the FAST Act.

This investment will fully fund the Northeast Corridor and the National Network, while putting Amtrak in a better position to address the \$28 billion state-of-good-repair backlog.

I am also proud of what we were able to accomplish together for our Nation's housing programs. The bill preserves HUD's rental assistance programs, expands housing for youth and families experiencing homelessness, and increases lead-based paint remediation programs. These programs are vital to our Nation's safety net and also to the prosperity of local economies.

I wish to speak briefly about how this bill increases protections for children against lead-based paint hazards. The bill—and the Chairman has discussed this—directs HUD to align its blood lead level regulations with the level recommended by the Centers for Disease Control and Prevention. This is a significant change that will help young children.

If you just look at my home State of Rhode Island, 935 children will enter kindergarten this year exceeding the CDC standard for lead poisoning, but under the HUD standard, only 32 of those children would exceed the blood lead level standard. Now, when this regulation is implemented, there will be 900 children who not only are properly identified, but also, we hope, will have access to remediation in their homes, so that they will not be further affected by lead exposure.

To help mitigate the threat of lead in the home, the bill provides \$25 million in new resources for public housing agencies to address lead-based paint hazards in public housing units in response to this new health standard. We are really trying to synchronize best practices with practical systems that will make a huge difference in the lives of children.

There is also \$135 million for lead-hazard reduction grants, \$25 million more than in 2016. This increased spending will support lead-based paint reductions in over 1,750 additional units.

The bill increases support for the training of maintenance staff at public housing agencies to ensure that lead-based paint hazards are identified and properly managed.

Finally, it encourages HUD to increase tenant awareness of lead-based paint hazards in the home to help ensure that families are able to address hazards before damage is done. These are immediate, cost-effective changes that will improve the lives of children living in low-income housing.

Preventing lead poisoning is an issue that I have long worked on. I am so pleased to see the steps and strides that we are taking in this bill.

The bill also provides funding for other critical HUD programs, including \$40 million for new interventions targeting homeless youth, 6,000 new vouchers for homeless veterans through the HUD-VASH Program, housing and supportive care for 2,500 young people aging out of the foster care system, and services to help families and young people get jobs and increase their earnings.

Again, I thank Senator COLLINS for her tremendous work, her leadership, and her unstinting commitment to making sure that these resources are directed appropriately and properly.

We always wish that we could do more, but this bill provides a workable balance of resources for transportation and housing programs. The bill responds to the priorities of the Members of this Chamber. It makes wise investments that will benefit our Nation, not only in the present, but also in the future.

In that regard, I must once again return to the issue of lead exposure to children in their homes. This is something that has a lifetime effect on children. I do not have the expertise of the Presiding Officer when it comes to these issues, but childhood exposure can have incredible lifetime cognitive impacts on a child and can have huge costs to society. The steps that we are taking are going to help those lifetime costs be reduced.

I again thank the Chairman, Senator COLLINS. I appreciate her leadership, her willingness, and her extraordinary effort.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, we are bringing up the MILCON-VA appropriations bill today, and I urge its adoption.

This year the MILCON-VA bill was the first appropriations bill. We marked up 5 weeks earlier than last year, and the bill is on the floor 6 months earlier than before. We are in a very advantageous position of telling the House to do their work, which

never happens with regard to the Senate. We are very proud of that.

We are so proud that we have crafted this bill in an open and collegial way with the full support of my ranking Democratic member, Senator JON TESTER of Montana. This bipartisan bill was adopted unanimously by a vote of 30 to 0 in the full Appropriations Committee.

In MILCON, the bill provides \$7.9 billion for over 200 critical defense construction projects. It adds \$515 million to MILCON to ensure that our military is ready to fight and win. There are no OCO gimmicks in the bill. My top priority in this legislation is missile defense in Europe.

Last year, the bill funded the Aegis Ashore BMD site in Poland. We have built on that in this year's bill. This bill funds the Long Range Discrimination Radar, or LRDR, in Clear, AK, at \$155 million.

For Veterans Affairs and related agencies, our bill provides \$75.1 billion to protect our veterans. This is record-high funding in this legislation, this bipartisan bill. The budget is up \$3.4 billion, or 4.8 percent, over this year, reflecting the higher medical costs in the economy.

The VA must now be reformed. We must work much better for veterans now. This bill includes strong oversight provisions for the VA to protect the protectors of our veterans. By that, I mean the whistleblowers. In this legislation is my VA Patient Protection Act of 2016, which protects whistleblowers and makes sure that doctors, nurses, and other medical care professionals are able to have the full whistleblower protections they deserve. This bill provides strong whistleblower protections and punishment for those who retaliate against whistleblowers.

A number of opioid safety provisions are included, such as no copayments for opioid antagonists, like Narcan, which can save a life rapidly.

The bill includes a provision that will screen medical providers to make sure the VA refrains from transferring bad doctors from one hospital in one State to another. The bill adds 100 staff to the VA Office of Inspector General, which is very important.

We continue to insist that the VA develop a fully interoperable electronic medical health record with DOD, using open source code. My vision here is to make sure we use open source code for VA medical records and DOD, to make sure that core of 25 million patients is protected, with no net burden on the soldiers when they are leaving active duty. The entire record goes over, so we have complete continuity of care.

By having open source coding, we repeat the success of the Motorola Android system, which happened in my State, where 70,000 apps were written just with that code. I want to make sure the electronic medical record industry is always located in the United States, based on this standard.

The bill adds \$8.7 million to fix the Veterans Crisis Line that we fund. Now

the veterans suicide hotline will never go unanswered. It also adds \$20 million for gender-specific health care for female veterans. The bill adds \$30 million to combat veteran homelessness; we have received a request on this issue from over 25 Senators. The bill adds \$12 million for important medical receipts for vets—like genomic research. In committee, we adopted an amendment that I supported by a vote of 23 to 7 to allow the VA to treat veterans and their spouses with in vitro fertilization for service-connected problems.

This is a strong bill. It is a very strong bill, and it does right by our troops and especially our veterans.

My Senate colleagues should pass this measure quite quickly, just as they did in the full committee.

With that, I yield back the remainder of my time.

Mr. MORAN. Mr. President, over two decades ago, Congress passed a law on an overwhelming bipartisan basis to provide a standard way of doing business for motor carriers nationwide. This preemption provision resulted in increased efficiencies that led to lower transportation costs and improved services, which have benefitted shippers and consumers throughout the country.

For two decades, this intent of Congress was adhered to for those involved in interstate commerce, and even upheld by the Supreme Court. Unfortunately, a recent Ninth Circuit Court decision has brought confusion to what had been the clear intent of Congress, and in my home State of Kansas, numerous trucking companies and drivers have become victims of these unintended consequences.

As the Senate begins consideration of the Transportation, Housing and Urban Development, THUD, Appropriations bill, the issue of trucking preemption laws may be debated once again. Due to escalating rhetoric and increasingly pointed statements regarding this issue, I sought the objective, authoritative policy expertise of the Congressional Research Service, CRS, to answer one-by-one many of the claims being made.

As the debate on THUD appropriations moves forward, I would encourage any of my colleagues interested in the trucking preemption debate to consult this CRS analysis and judge for themselves the merits of this important issue. I think they will find many of the claims made in opposition are exaggerations, if not outright falsehoods, and that the original intent of Congress on this matter was and continues to be critical for preventing unnecessary burdens on an industry that hauls our Nation's freight and is vital to our economic well-being.

I ask unanimous consent to have printed in the RECORD the CRS memo provided to me with its thoughtful and informative answers.

Thank you.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,

April 6, 2016.

MEMORANDUM

To: Hon. Jerry Moran.

From: Rodney Perry.

Subject: Implications of Section 611 of the Proposed Aviation Innovation, Reform, and Reauthorization Act of 2016.

This memorandum provides responses to your questions concerning California law and the implications of Section 611 of the proposed Aviation Innovation, Reform, and Reauthorization Act of 2016 (Section 611).

Section 611 contains two primary provisions. The first provision would expressly preempt state laws that prohibit employees whose hours of service are subject to regulation by the Department of Transportation (DOT) under 49 U.S.C. §31502 from working "to the full extent permitted or at such times as permitted under [49 U.S.C. §31502]." It would also preempt any state laws that "impos[e] any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted" by DOT regulations issued pursuant to 49 U.S.C. §31502, which permits DOT to prescribe requirements for the qualifications and maximum hours of service of motor carrier employees.

The second provision of Section 611 would expressly preempt any state laws that require payment of "separate or additional compensation" by a motor carrier that compensates employees on a piece-rate basis, so long as the total sums paid to an employee, when divided by the employee's total number of hours worked during the corresponding work period, equals or exceeds the applicable minimum wage for that state.

You specifically asked for responses to the following questions:

1. Although the meal period must be paid if the employee is on-duty or required to remain on the premises, doesn't California law permit an on-duty meal period only if there is a written agreement between the parties that can be revoked at any time? Absent such agreement, isn't the default obligation to provide an off-duty meal period? Does the employer have to pay for an off-duty meal period?

Under California law, unless an employee is relieved of all duty during a meal period, the meal period is considered an "on duty" meal period that counts toward hours worked, and is thus compensable. On duty meal periods are only permitted when: (1) the nature of the work prevents an employee from being relieved of all duty; and (2) there is a written agreement between the employer and employee for on duty meal periods. Such a written agreement must state that the employee can, in writing, revoke the agreement at any time. Absent such an agreement, any meal periods provided as required by law are off duty. Off duty meal periods do not count toward time worked (*i.e.*, they are unpaid).

2. Does anything in Sec. 611 mandate that motor carriers utilize piece-rate pay systems?

Under Section 611, if a motor carrier compensates an employee on a piece-rate basis, it is not required to provide any additional compensation so long as the sum of the piece-rate compensation, when divided by the total number of hours worked during the corresponding pay period, equals or exceeds the applicable minimum wage. This does not appear to require motor carriers to pay their employees on piece-rate bases. Rather, it seemingly prevents an employer that chooses to pay its employees on a piece-rate basis from having to provide additional compensation in specified circumstances.

3. Is an employer, paying an employee on a piece-rate basis, in compliance with federal

minimum wage laws if the sum paid to the employee, when divided by the total number of hours worked, meets or exceeds the applicable minimum hourly wage rate?

This appears to be correct. Courts have generally held that an employer meets federal minimum wage requirements if the total weekly wage paid is equal to or greater than the number of hours worked in the week multiplied by the statutory minimum rate.

4. Would a motor carrier employee loading a truck have to be compensated for that time as hours worked under federal law? Does anything in Sec. 611 alter the conclusion?

Pursuant to the federal minimum wage requirements, covered employers must pay employees the applicable minimum wage for all compensable hours worked. The Supreme Court has held that activities that are an "integral and indispensable part of the principal activities for which covered workmen are employed" are compensable. At least one federal appellate court has found that loading a truck is an integral and indispensable part of the principal activity for which a truck driver is employed (driving a truck), and thus is compensable. Section 611, by its terms, specifies circumstances wherein state laws, regulations, or "other provision[s] having the force and effect of law" are preempted by federal law. As such, it does not appear that section 611 would alter the determination of whether time spent loading a truck is compensable under federal law.

5. Under California law, would a motor carrier have to pay a driver for the mandated 10-minute rest break? If a driver were to take a rest break or any other type of break of 10 minutes, would a motor carrier have to pay the driver for that time under federal law? If Sec. 611 were enacted, would the requirement under federal law still apply?

Under California law, motor carriers are required to provide employees with paid 10-minute rest breaks for every four hours worked. Under federal law, employer-provided breaks that are between 5 and 20 minutes in duration are generally compensable. Section 611, by its terms, specifies circumstances wherein state laws, regulations, or "other provision[s] having the force and effect of law" are preempted by federal law. As such, it does not appear as though section 611 would alter the determination of whether a 10-minute break is compensable under federal law.

6. Does California Labor Code §226.2 apply to independent contractors or only to employees?

By its terms, California Labor Code §226.2 (Section 226.2) applies to "employees." Given the time constraints required to respond to your request, and the methodology used to search for relevant cases, CRS could find no case law interpreting Section 226.2 that discusses its potential applicability to independent contractors.

7. Would Section 611 preempt state meal and rest break laws, like California's, as applied to motor carriers?

Section 611 would preempt any state laws that prohibit employees whose hours of service are regulated by the Department of Transportation (DOT) under 49 U.S.C. 31502 "from working to the full extent permitted or at such times as permitted under [49 U.S.C. §31502]." Section 611 would also preempt any state laws that "impos[e] any additional obligations on motor carriers if such employees work to the full extent or at such times as permitted" by DOT regulations issued pursuant to 49 U.S.C. §31502, which permits DOT to prescribe requirements for the qualifications and maximum hours of service of motor carrier employees. Thus, any state meal or break laws that impose

more stringent requirements on motor carriers than DOT's meal or break regulations for motor carriers, found at 49 C.F.R. Part 395, would seem to be preempted by Section 611. This interpretation of the legislative language would appear to be consistent with the legislative intent behind Section 611.

Mr. KIRK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FISCHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS

Mr. RUBIO. Mr. President, I am here to talk about two separate topics today. The first is the Zika virus. I am encouraged that in the last 24 hours, we finally seem to have found some action here in Congress in dealing with the Zika virus. We not only have one, we have three separate proposals that will be introduced to deal with Zika. We will continue to work on and debate these proposals next week.

About 5 weeks ago, I met with Federal, State, and local health officials in Miami and came out in support of the President's emergency funding request to deal with Zika. Since then, I have come before the Senate on numerous occasions to call for action. I have stated my belief that there shouldn't be anything divisive with this. Zika is a public health emergency that sooner or later will impact the vast majority of the United States because this is a virus transmitted by mosquitoes that are only going to become more prevalent as the weather heats up and because our people routinely travel to and from the island of Puerto Rico, the most impacted community in the entire United States.

When I spoke here yesterday, the count of people infected in Florida stood at 109. Since then, just 24 hours later, it has become 112. One-hundred and twelve Zika cases is the most of any State in the Union. Of the three

new cases in Florida, two were in Volusia County and one was in Orange County.

I have said repeatedly that Congress should not allow politics to delay action on Zika. One issue we have been encountering is the desire to offset the spending. I made it clear that if we can offset the spending and find the money somewhere else in the budget to pay for what it is going to cost to deal with Zika, we should do it, but that in times of public health emergencies, just like natural disasters, we shouldn't delay acting while we figure out and try to agree on what we are going to cut from other parts of the budget.

Another issue we have encountered is whether we do this through the normal process that is going on or fund it as an emergency spending bill. Again, I am open to either one of those approaches. But back in the real world, people infected by this and their families, who have already been impacted by this, don't have the time for us to figure all of this out; they just believe, as I do, that we need to get going here and get something done.

I have said that we should deal with this issue fully and that the \$1.9 billion requested so far may not even be enough when it is all said and done. But I believe there is no one here who wants to get caught in a situation where it is August and people are back in their States, maybe even campaigning for reelection, and have to scramble back here in the middle of the summer to come up with solutions when it gets hotter and there are more mosquitos and when the conditions are ripe for more people to be impacted by Zika.

I commend Senator NELSON, my colleague from Florida. I especially commend Senators MURRAY from Washington and BLUNT from Missouri and others who are taking this seriously and trying to come up with a solution and a way forward.

This is indeed a devastating disease. It has taken lives throughout our hemisphere, and the way it impacts unborn children alone should call us to action. Let's deal with this now, and let's protect our people. There is no reason that every proposal to address Zika cannot be bipartisan and earn broad support.

I am hopeful that we can reach a final outcome that fully addresses the problem. I am hopeful we will see some meaningful action on the Zika public health emergency very soon, including the American citizens in Puerto Rico who have been most impacted so far, and that is one of the reasons I plan to introduce—along with my colleague from Florida, Senator NELSON—an amendment to provide the full \$1.9 billion request to fight the Zika virus. The strain on Puerto Rico's health system from Zika must be addressed, and this is the only proposal so far that tries to fully deal with the unique challenges Puerto Rico faces with the Zika virus.

I think it is important to remind people who are asking themselves “Why should we care about Puerto Rico?”—I will remind them that 4 million U.S. citizens live there, that the first American to lose their life to Zika lived in Puerto Rico, and that Puerto Ricans routinely travel to the continental United States—to Florida and New York especially. These 4 million Puerto Rican citizens have no voice here in the Senate, so I will make sure they are not forgotten as we work on solutions to this virus that has disproportionately impacted these Americans.

When we return next week to continue debating appropriations bills, I hope we can come together on this issue. I hope we can find a way forward that deals with these issues fully and that helps to stop this disease in its tracks and that saves lives.

I urge my colleagues here in the Senate, and the House as well, to look at the proposal Senator NELSON and I will introduce and offer their input and ultimately sign on and get this passed. As we know, it is not going to be enough to see progress here in the Senate; we need the House to act as well, and I hope we can start doing that next week. We need to act. Zika is taking lives, it is hurting unborn children, and this problem is only going to get worse as we move forward.

EUREKA GARDENS

Mr. RUBIO. Mr. President, tomorrow I will be visiting the Eureka Garden Apartments in Jacksonville, FL, which is a Section 8 apartment complex that is supposed to provide affordable and safe living conditions for low-income members of the Jacksonville community, but it doesn't. Instead, its tenants have been subjected to dangerous, often downright disgusting living conditions for years. They raised their concerns repeatedly with the managers of the facility and local officials, only to be met for the most part with bureaucratic indifference.

My staff and I have been working on this since it first came to light last fall, but there has been a frustrating, disturbing lack of progress from the Department of Housing and Urban Development and, more importantly, from the owner of the complex.

Frankly, I have had enough. I am heading down there tomorrow to see what we have to do and whom we need to put pressure on to get things moving. I will be touring the facility and meeting with Tracy Grant, who is the president of the tenants association. I will be joined by Councilman Garrett Dennis, Jacksonville Mayor Len Curry, and Pastor Mark Griffin of Wayman Ministries, who will be meeting with residents. I intend to commend the residents tomorrow for how united and resilient they have been throughout this ordeal, even while the Federal Government failed them.

For years the Department of Housing and Urban Development has certified

this facility and as a result has put hundreds of families at risk. When HUD inspected the property last summer, they passed the complex with a score of 85 out of 100. Less than a month later, residents were complaining about how bad their living conditions were.

When my staff visited the complex, it was nearly unlivable. They saw crumbling stairs, black mold, and exposed electrical wiring that had been covered up by a trash bag. They smelled the natural gas that would soon hospitalize residents days later. This was and is unacceptable.

For months, my office, along with Mayor Curry, the city council, and the tenants association, pushed to have improvements and repairs done to this complex. In February, HUD finally had a date by which all repairs must be completed. When the time came to reinspect Eureka Gardens, it passed inspection, and they eventually renewed their contract with the property's owner, but the residents continued to say what they had said all along: HUD's inspections aren't working.

Just recently, HUD revealed that Eureka Gardens passed with a score of 62. The passing score is a 60. However, a senior HUD official admitted that HUD officials do not believe the property would currently pass another inspection. HUD essentially admitted that it had certified a failing facility. Something is clearly wrong with the inspection process, and Floridians are being hurt because of it.

I will be down there tomorrow to find out how we can put an end to this problem once and for all. The residents of Eureka Gardens cannot be forced to suffer under mismanagement and apathy any longer. Children cannot continue to be put at risk due to gas leaks and other hazardous conditions. HUD cannot be allowed to continue to rubberstamp approval of failing housing complexes, only to further slumlike conditions for the most vulnerable tenants.

I will continue to look for solutions to help make sure the conditions in Eureka Gardens are fixed and aren't repeated anywhere else. If we determine that congressional action is necessary, then I am prepared to take it. The residents of Eureka Gardens deserve safe living conditions, and we will make sure that is exactly what they get.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

OPIOID CRISIS

Mr. MARKEY. Mr. President, I wish to open my remarks with a congratula-

tions to the Police Assisted Addiction and Recovery Initiative based in Gloucester, MA.

Since it began less than 11 months ago, this program is now partnering with more than 100 police departments in 24 States around the country to help people with opioid addiction to get the treatment they need. The program's approach is simple, but it is also revolutionary: having law enforcement work with those suffering from the disease of addiction by removing the stigma surrounding it and placing them into treatment instead of behind bars.

I thank the founders of this program—Gloucester police chief Leonard Campanello and John Rosenthal—for their leadership and compassion, and I urge everyone to learn more about this national model for combating the opioid crisis.

It is that crisis that I am here to talk about this afternoon. Today, I wish to call attention to a serious issue facing Massachusetts and soon to face every single community in the United States of America. Illicit fentanyl is a synthetic opioid that is 50 times stronger than heroin. Let me say that again. Fentanyl is 50 times stronger than heroin and 100 times more powerful than morphine. It is responsible for the largest increase in drug overdose deaths in recent years.

More than 700 deaths in the United States were attributable to fentanyl and its components between 2013 and 2014. In Massachusetts alone, 336 people died from fentanyl-related overdoses between 2014 and 2015. More recently, among the 1,319 opioid-related deaths in the Commonwealth of Massachusetts in 2015 for which a blood test was available, more than half—754—tested positive for fentanyl. That is an astounding number for one State. That is an astounding increase in the impact that fentanyl is having in deaths in the State of Massachusetts.

But it is not just isolated to Massachusetts, because fentanyl is the Godzilla of opioids, and it will overrun communities and lay them to waste unless we take action now to stop it.

For those who may not know about this new scourge, Mexico and China are the primary foreign sources for illicit fentanyl, for the chemicals and building blocks from which it is made, and for other illicit substances very similar to fentanyl—called fentanyl analogs—and which are trafficked into the United States from outside of our borders. Fentanyl powder is often mixed with other illicit drugs like heroin or is disguised in pill form to resemble an opioid painkiller like OxyContin.

Many drug users overdose on fentanyl because they have no idea that it is mixed into whatever substance they are injecting or whatever pills they are swallowing, and they do not realize just how deadly it is until it is too late.

But capturing a total and accurate number of drug overdoses caused by fentanyl has been very challenging.

Coroners and medical examiners do not usually test for the drug unless they are asked to, and they are often unaware that an overdose has a fentanyl link when an individual tests positive for a different substance such as heroin.

Even more troubling, the men and the women who first respond to the scene of an overdose may not know how to identify fentanyl or how to handle the drug. This makes local and State first responders very vulnerable to the drug's harmful effects, because if the fentanyl powder is absorbed into the skin or accidentally inhaled, it can be deadly. In fact, a dose of just three salt-sized grains of fentanyl can be lethal.

So think about that. You are a first responder. You are going into a home or a business thinking that you are responding to an opioid overdose situation when, in fact, you might be exposing yourself to the fentanyl in the air or to something which gets on your skin. That is how deadly this new substance is that is creating this epidemic across our country.

Recently, DEA agents in Seattle raided a suspected fentanyl lab wearing HAZMAT suits and protective gear to make sure they did not inadvertently breathe in or touch the fentanyl. The DEA has told me that they sometimes cannot use dogs to sniff packages coming in from overseas suspected of containing fentanyl because these drug-detection dogs may die if they even inhale it.

The Drug Enforcement Administration is so concerned about this synthetic opioid that in March of 2015 it issued a nationwide alert highlighting fentanyl as a threat to health and public safety.

Fentanyl is a very real problem in my home State of Massachusetts. Lawrence, MA, which is about half an hour north of Boston, is a hotspot for fentanyl trafficking. From Lawrence, the drug ends up being processed and sold all over New England.

There are efforts already in place to address the spread of fentanyl. Mexico and China are its primary foreign sources and have been the focus of diplomatic efforts to curb fentanyl trafficking. We need to make sure that those countries are living up to their promises to combat the flow of this deadly drug and other synthetic opioids into the United States.

We know naloxone, sometimes called Narcan, is an effective antidote against an opioid overdose. But a single dose of naloxone is typically not enough to combat an overdose that includes fentanyl.

That is why earlier today I called on the Department of Health and Human Services and the Department of State to outline our domestic and international strategy against the trafficking of illicit fentanyl into America. As we await their responses, I know there are several critical steps that we must take in order to save lives.

We must educate the public about the existence of illicit fentanyl and the harm it can do.

We must educate first responders—our firefighters, our EMTs, our sheriffs, our health care workers—so that they can protect against injury to themselves as they are trying to identify a fentanyl overdose and so that they can protect themselves from the harmful effects of that drug.

Identifying a fentanyl overdose could mean the difference between administering multiple lifesaving doses of naloxone or death.

We should invest in programs that ensure that naloxone—Narcan—is readily available and accessible to those most likely to witness an overdose. We need to make sure that there are no shortages or unnecessary price increases for this lifesaving treatment.

We should issue guidance to States regarding the protocol for fentanyl testing in order to obtain a more accurate picture of fentanyl's deadly impact.

Illicit fentanyl is different from other opioids. It is difficult to detect and has deadly consequences for those who unknowingly come within its path. We cannot let another day pass without taking the necessary steps to educate our communities about fentanyl, to develop a national strategy, and to collaborate with our international partners—the Mexicans and the Chinese, especially—so that we can keep this illicit drug out of the cities and towns all over our country.

American lives depend on a solution to the latest opioid crisis. It is going to be something that people look back at and say: How can something have been worse than the heroin epidemic? How can something have caused more deaths than the heroin epidemic? That is where fentanyl is already in the State of Massachusetts. It is something that is going to come to each and every State in our country.

We have to take action now. We have to ensure that we protect our borders from it entering, but then we have to make sure that we give the proper training and protections and put them in place for every State and every city and town to be able to protect against this infecting our communities.

So I thank the Chair for giving me the opportunity to address the Chamber today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE AND NATIONAL GUN VIOLENCE AWARENESS DAY

Mr. DURBIN. Mr. President, I wish to speak about the epidemic of gun vio-

lence that continues to plague our Nation.

Every year, around 32,000 Americans are killed by guns. According to recent Centers for Disease Control statistics, every day, on average, 297 Americans are shot, and 91 of those shootings are fatal. Communities across the Nation are affected by this violence, and no community has suffered more than the city of Chicago in my home State of Illinois.

From the start of the year through May 10, at least 1,242 people were shot in Chicago. During the same period, there were at least 215 murders in Chicago, the vast majority committed with guns. The level of violence in Chicago is significantly higher than in recent years. And more people have been shot in Chicago this year than in New York City and Los Angeles combined. It is devastating.

I met 2 weeks ago with the top Federal law enforcement officials in Chicago: U.S. Attorney Zach Fardon, U.S. Marshal Ed Gilmore, and leaders from the FBI, ATF, and DEA. They reaffirmed their commitment to do all they can at the Federal level to bring down this high level of gun violence in the city. They are committed to working with the Chicago Police Department and its new superintendent, Eddie Johnson, to ensure that Chicago's residents are both protected and respected by law enforcement.

There is much work that needs to be done to improve community policing in Chicago to better safeguard the public's safety. I am confident that the Justice Department's ongoing review of the CPD will lead to important reforms that will build trust between officers and the communities they serve. We have seen Justice Department reviews in other cities produce dramatic improvements. When communities and cops are working together with a relationship of trust and respect, it makes it harder for criminals to operate.

I also want to commend the many community leaders, faith leaders, teachers, volunteers, and family members who are working to provide Chicago's children with a better path, away from the violence. I met recently with students at John Hope College Prep in Englewood on the South Side of Chicago, along with City Year volunteers who worked with them. It was inspiring to hear how these high school freshmen and sophomores talked about their work with their City Year mentors. One student told me "the thing I love most about City Year is that they never let you give up." With the help of their mentors, these students are doing well in school, steering clear of the gangs, and planning for a bright future.

It is so important that we nurture these kinds of efforts throughout Chicago. We have to give the younger generation the opportunities and hope that will lead them away from the path of gangs and violence.

We also have a responsibility to help these efforts by stemming the flood of

illicit guns that comes into Chicago. When it is easy for gang members to get their hands on guns, it is hard for children and communities to avoid violence. We must all do our part to stop the gun trafficking that supplies Chicago's criminal gangs.

I want to commend President Obama for taking an important step last week to help combat gun trafficking. This step has to do with smart gun technology.

Right now we have security features on our phones and computers that can prevent thieves and unauthorized people from using them. You can secure these devices so they can only be unlocked with a password, fingerprint, or some other security feature. We can develop similar technology so that an unauthorized user cannot fire a gun. This would make it far harder for a prohibited gun buyer to get his hands on a gun he can use.

Smart gun technology would also prevent thieves from stealing guns to resell them, and it would help prevent kids from playing with guns and getting hurt.

For years there has been resistance to smart gun technology. Part of this resistance has come from the gun lobby, which always fights against proposals that might reduce gun sales. But resistance has also come from law enforcement, which had concerns about whether smart gun technology would work effectively.

Last week, the administration announced that it would partner with law enforcement to develop voluntary standards for what law enforcement would need in order to consider using smart gun technology. Within 6 months, this effort will produce baseline specifications for the reliability, durability and accuracy of this technology.

Once there is agreement on a set of standards for smart gun technology, then innovators can get to work on developing products that meet those standards and bringing those products to market. The administration will help this effort with its research dollars and purchasing power. They will help make this technology a reality.

This could be a game changer when it comes to deterring illegal gun trafficking. It is exactly the kind of effort that the city of Chicago needs. I commend the administration for undertaking this effort, and I will do everything in my power to support it.

As we work to prevent future gun violence, it is also important that we remember and pay tribute to those we have lost to this epidemic of violence.

June 2, 2016, will mark what should be the 19th birthday of Hadiya Pendleton. Hadiya was 15 years old when she was gunned down while standing in a park on Chicago's South Side on January 29, 2013. She had just performed with her King College Prep school band at the President's inauguration ceremony one week before.

I have come to know Hadiya's family—her mother Cleo and her father

Nate—and I have met many people who have been deeply affected by Hadiya's senseless murder.

After her death, Hadiya's friends started a campaign to urge people to wear orange on June 2, Hadiya's birthday, to honor victims of gun violence. Orange is the color that hunters wear in the woods so that nobody shoots them.

This campaign became a national phenomenon. June 2 has now become Gun Violence Awareness Day. Last year I was proud to join with students, faith leaders, community leaders, media figures, lawmakers, and many more across the Nation who wore orange to honor Hadiya and the 32,000 victims lost each year to gun violence.

I will be wearing orange again on June 2 this year, and I urge my colleagues to do the same.

We must never forget our solemn obligation to do all we can to keep the American people safe, and that includes keeping Americans safe from preventable gun violence.

Thousands of Americans are shot and killed each year in shootings that could have been prevented. There are steps we can take, consistent with our Constitution and with our traditions of hunting and sport shooting, to avoid these tragic deaths. We should not be afraid to take those steps.

This June 2, Hadiya Pendleton should be celebrating her 19th birthday. Instead, a nation will mourn her loss and the loss of so many others due to gun violence. We owe it to Hadiya and to the victims to do our best to spare others from this violence in the future.

REMEMBERING WALLY HENDERSON

Mr. DURBIN. Mr. President, 2 weeks ago I lost a dear friend and my hometown of Springfield, IL, lost one of its best. His name was Earl Wallace Henderson, but everyone knew him as Wally. He was an acclaimed architect who helped design Springfield's future while, at the same time, preserving its priceless past as the hometown of President Abraham Lincoln.

In the 1960s, Ferry & Henderson, the architectural firm he co-founded, took on one of its most important projects: expanding Illinois' historic old State capitol building to include underground parking, room for the State historical library, and other modern amenities.

The concept of architectural preservation was relatively at that time, and Wally became one of its pioneering leaders. Expanding the old State capitol involved taking the building apart piece by piece, cataloguing and moving more than 3,300 stones to the Illinois fairground, and then painstakingly rebuilding the structure over the new parking garage and library.

Wally's decades of innovative work in architectural preservation earned him admission in 2011 to the American Institute of Architects College of Fel-

lows, one of the highest honors in his field.

Interestingly, Wally became an architect almost by accident. What he wanted to be all through high school was an astronaut. More to the point, he wanted to be the first man to walk on the moon. This was back in the late 1940s, which gives you an idea of Wally's ability to imagine a future that few others could see.

Wally left Springfield in 1949 to study aeronautical engineering at the University of Illinois-Urbana Champaign. He was his parent's only child, and the first person in his extended family ever to go to college. When he came home for spring break during his freshman year, his parents were so proud of their son, the college student, that they invited a bunch of friends over.

One of the neighbors asked Wally, "What are you studying?"

Wally told them, "Aeronautical engineering."

Another neighbor asked, "So you want to build airplanes, do you?"

Wally replied, "No, I want to be the first man on the moon."

Years later in an interview, he recalled what followed.

"As those folks departed my mother said, 'Here, sit down, your dad and I want to talk to you for a moment.'"

Wally sat down between his dad and his mom, whom he respected greatly. His mother said, "You know, it's alright to say that to your dad and me about 'wanting to go to the moon.' But everybody else thinks you're crazy."

That was the end of Wally's dreams of being an astronaut. He went back to the university and asked a counselor what other school on campus would accept the credits he had earned.

Fortunately for Springfield, Wally's counselor suggested architectural engineering. That was the start of his long and distinguished career.

Wally graduated from the University of Illinois in 1954, moved to Indianapolis, and went to work for an engineering firm. Six months later, he was drafted into the Army and sent to Korea. This was several months after the ceasefire that ended the conflict. Wally was assigned to an engineering battalion.

One day, a young Korean boy about 11 years old was polishing Wally's boots to earn money for his family. The boy was telling Wally about his hometown, a little village. He said it was the best village in the world.

Wally said he started bragging about his own hometown, reached into his pocket and pulled out the only coin he had, a penny with Lincoln's image on it, and said, "I'm from his hometown."

The little boy had probably never traveled farther than 10 miles from his own village, but when he saw that penny, his face lit up. To this young boy, Wally said, "Abraham Lincoln was everything." Right there, 3,000 miles from home, Wally listened as this Korean child told him the story of the Great Emancipator.

Wally was stunned. He thought, "Here I am, from Abraham Lincoln's hometown. I lived nine or ten blocks from Lincoln's home, and this child knows as much about Abraham Lincoln as I do."

Over the next several decades, that would change. As an architect and architectural preservationist, Wally would play a crucial role in helping to preserve what is now called the Lincoln Home National Historic Site and the Capital Complex. As I mentioned, he also helped preserve and rebuild the old State capitol in Springfield, where Abraham Lincoln delivered his famous "House Divided" speech, warning that the Nation could not endure half slave and half free. Coincidentally, it was also at the old State capitol that another lanky lawyer from Illinois, Barack Obama, announced his candidacy for President of the United States in 2007.

I was honored to serve with Wally Henderson on the commission that helped create the Abraham Lincoln Presidential Library and Museum in Springfield. We also served together on the Abraham Lincoln Bicentennial Committee, which helped lead the Nation in remembering Abraham Lincoln during 2009, the bicentennial of his birth.

Wally was a past president and long-time board member of the Abraham Lincoln Association, a distinguished group of Lincoln scholars. In 2009, the Lincoln Association awarded him its Logan Hay Medal, for his work in preserving and making more accessible buildings and landmarks associated with President Lincoln's life.

In 2013, the Springfield Journal Register named Wally Henderson Springfield's "First Citizen." The ceremony took place, fittingly, at the old State capitol State historic site, which Wally's firm had helped to restore.

That Wally became such an important and cherished part of Springfield is a bit of an irony. You see, when Wally Henderson left Springfield to go to college, he vowed to himself that he would never move back.

After serving in Korea, Wally used the G.I. Bill to earn his master's degree in architecture at the University of Illinois. He met his first wife, Sally; they got married, and Wally landed a great job working as an architect in Denver.

Then came the fateful phone call: Wally was contacted by a young architect in Springfield, the brother-in-law of Wally's best friend in high school. The brother-in-law's name was Don Ferry. He was working for a Springfield firm that was designing hospitals, and they needed another architect. Was Wally interested?

Wally came home, talked with Don Ferry, and left unimpressed. He went back to Denver and finished work on a church that his firm was building in the Rocky Mountains. The completed church was spectacular. At its grand opening, Sally nudged Wally and said, "You're leaving." She knew that Wally

needed another professional challenge. So, at the age of 28, after 4 years as an architect in Denver, Wally packed up his wife and baby and moved home.

He told Don Ferry that he would work with him, but he had conditions. He told Don, "You quit your job, I'll quit my job and we'll open an office in Springfield because, by God, Springfield needs higher education and a whole bunch of other things."

His other condition: Wally said, "We're not competing with anybody. We're going to bring contemporary architecture to Springfield, Illinois." There were about a dozen architectural firms in town at that time, but no one was doing much of anything new.

Wally Henderson and Don Ferry formed their own firm, Ferry & Henderson Architects, in 1961. They started out in a one-room office that contained two stools, a drafting table, and a telephone. They worked together for decades and literally transformed Springfield.

They spearheaded projects including the Springfield Municipal Plaza, the Willard Ice Building, and the building that houses the Springfield Journal-Register.

One reason Wally had vowed never to return to Springfield was because the town lacked a university. Ferry & Henderson helped rectify that omission when their firm designed the Public Affairs Building, the first permanent building at Sangamon State University, now the University of Illinois at Springfield. Wally remained a strong supporter of the university until the end of his life.

When Wally moved back to Springfield, the area surrounding the Lincoln Home was run-down and nondescript. Wally helped stir Springfield's civic pride and its resolve to take care of its priceless legacy as Abraham Lincoln's hometown. I have been proud to have my congressional and Senate offices in this restored area.

Just as that little Korean boy had enabled Wally to see Springfield through new eyes, Wally helped others in Springfield to envision a future in which the Lincoln Home, the old State capitol, and other places that Lincoln loved would become the crown jewels of America's Lincoln historic sites.

Last year, more than 233,000 people visited the Lincoln Home National Historic Site in Springfield, up nearly 20 percent from the year before. Those visitors spent more than \$13.8 million at local businesses.

My wife, Loretta, and I were fortunate to count Wally Henderson as a dear friend and neighbor. We both extend our condolences to Wally's wife, Brynn, and to their children and grandchildren, all of whom Wally loved deeply.

When Abraham Lincoln left Springfield to start his inaugural journey to Washington, friends from all over town came to see him off at the Great Western Railway station. In what is now known as his Farewell Address, the

new President said: "My friends, no one, not in my situation, can appreciate my feeling of sadness at this parting. To this place, and the kindness of these people, I owe everything." He closed by saying, "I bid you an affectionate farewell."

Likewise, to my old friend Wally Henderson, who did so much to preserve the legacy of President Lincoln and to enrich our hometown in so many other ways, I bid you an affectionate farewell.

NATIONAL POLICE WEEK

Mr. LEAHY. Mr. President, every year in May we commemorate National Police Week, a time to reflect upon the sacrifices made by the men and women who serve in law enforcement. In particular we honor those who have made the ultimate sacrifice and died in the line of duty. Our law enforcement officers risk their lives every day to protect and serve our communities in Vermont and across the country. This year I am proud to say that Congress has come together to deliver more than just rhetoric in honor of this service. This year we are providing something much more important—tangible, life-saving protection for hundreds of thousands of law enforcement officers. On Tuesday, the House of Representatives joined the Senate and passed my bipartisan reauthorization of the Bulletproof Vest Partnership Grant Program.

I originally worked with former Senator Ben Nighthorse Campbell to establish the Bulletproof Vest Partnership program in the wake of the Carl Drega shootings on the Vermont-New Hampshire border. While the Federal officers engaged in a shootout with Drega were equipped with body armor, many of their State law enforcement counterparts were not, which resulted in the death of two State troopers. Now, nearly 20 years later, this program has provided more than 1.2 million protective vests to more than 13,000 law enforcement agencies around the country, including more than 4,400 vests for Vermont officers; yet the program's charter expired in 2012, and I have been working to reauthorize it ever since. The Senate passed the bipartisan measure coauthored by Senator LINDSEY GRAHAM last year. I am proud that the House has now done the same, and the legislation is headed to the President's desk for signature. This program saves lives and proves that Congress can work together to protect those who protect us.

While the Bulletproof Vest Partnership will continue to protect officers, we must never forget the more than 20,000 fallen officers enshrined on the walls of the National Law Enforcement Officers Memorial. These walls stand as a testament to the dedication and commitment of our brave law enforcement officers. Officers like Sergeant Gary A. Gaboury, a patrol commander in Shaftsbury and member of the State police dive team, who tragically died 24

years ago today, on May 12, 1992, as he was attempting to recover a drowning victim. No matter how old these wounds are, our communities must not forget the sacrifice of Sergeant Gaboury and others in uniform.

Tomorrow the names of 252 fallen officers will be added to the walls of the memorial. Among those who will be added to the wall is Vermont State Trooper Kyle Young, who tragically died last September. Trooper Young, who suffered heat stroke during a training exercise, was the first line-of-duty death in Vermont in 12 years. Like so many of his fallen colleagues, Trooper Young died while working to be a better public servant. He hoped to be promoted to the agency's tactical team, and he died showing the same grit and determination that he showed throughout his life, always trying to achieve the next goal. Trooper Young was only 28 years old and the father of two young girls. He was an outstanding high school athlete who went on to serve in the U.S. Air Force, with tours in Iraq and Afghanistan. His colleagues described him as an active trooper who, with less than 2 years on the job, quickly found his calling.

The tragedy of Trooper Young's death will not be forgotten, nor will the lives of 23 other Vermont law enforcement officers who have died in the line of duty. Vermont is fortunate to be served by so many professional and dedicated public servants in law enforcement. That is why I have worked so long to provide law enforcement officers with what they need to keep both themselves and their communities safe. It is my hope that the reauthorization of the Bulletproof Vest Partnership program will do just that—and will help keep names off that wall.

TRIBUTE TO ROSS BAKER

Mr. LEAHY. Mr. President, I have often likened the counsel that Senators receive from their staff to the confidential advice a lawyer provides to a client. That is why it is so rare that, over the last 40 or so years, Ross Baker, a Distinguished professor at Rutgers University, has taken several sabbaticals to research the inner workings of Capitol Hill. Most recently, as a scholar in residence in Senate Minority Leader HARRY REID's office, Professor Baker has been given the unusual access to the inner workings of one of the Senate's leading offices. The result? Professor Baker is considered the go-to academic expert on the Senate, one of the preeminent scholars of congressional history, the author of six books about Congress and government, and an insightful resource for the news media about the often inscrutable goings-on in Congress.

I came to know Professor Baker when he joined my staff as an adviser in 2000, when he returned to Capitol Hill to gain a better understanding of Senate seniority. When he returned to my staff in 2004, during a period of

fierce debate in the Senate Judiciary Committee over the direction of our courts and our national security policy, Professor Baker saw firsthand how lawmakers, including myself, balance meaningful, large-scale policy debates with the day-to-day responsibility of representing and advocating for our constituents. It goes without saying that my relationship with Professor Baker was a two-way street. It was not uncommon for me to respond to his questions with some of my own.

In 2008, Ross Baker joined then-Majority Leader REID's staff at a pivotal time in both Congress and in the political arena. Long and diverse primary campaigns, coupled with the winding down of the tumultuous Bush administration, provided Professor Baker with even more fodder for his courses at Rutgers. As he concludes his final stint with Senator REID's office, one can only wonder how today's political dialogue both on the campaign trail and on the floor of the Senate will inform Professor Baker's American Government course when he resumes teaching this fall.

Vermonters have entrusted me to represent them in Washington several times. Like Professor Baker, I have spent time studying what works, and what doesn't. His insights are as important to the chronicle of Senate history as they are to the students he teaches today.

I ask unanimous consent that a May 5 article in the Washington Post entitled "History Professor Landed a Privileged Perch to See How Harry Reid Works" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 5, 2016]

HISTORY PROFESSOR LANDED A PRIVILEGED PERCH TO SEE HOW HARRY REID WORKS

(By Paul Kane)

Harry Reid almost never says no.

When he gets a new piece of information or a request or anything, he says—he uses this phrase all the time—he says: "I'll look at it," says Ross K. Baker, a distinguished congressional scholar at Rutgers University.

That approach gives the Senate minority leader wiggle room to make decisions in private, a style of leadership that is decidedly different from the "master of the Senate," bulldozing approach that Lyndon B. Johnson honed as leader in the 1950s.

That's just one of the countless insights that Baker, 77, has drawn in three separate stints as "scholar in residence" on Reid's staff. Last week, he finished his final tour with the retiring Senate leader as an unpaid adviser and observer, a one-of-a-kind sabbatical for the professor. Over the past 41 years, Baker has done seven stints on Capitol Hill, working in the House and Senate.

Rather than teaching undergraduate students his "American Government" course, the professor embedded himself in real American government at an irregular pace in the past, but over the past 16 years he's been here every four years. Nothing can compete with the access he has been given in Reid's leadership office in the Capitol. He watched the early stages of the 2008 presidential primary play out on the Senate floor between then-Sens. Barack Obama and Hillary Clin-

ton. He has seen Senate battles over treaties, and, without fail, has seen countless legislative battles end in gridlock.

Baker's time on Capitol Hill has provided history the chance to have an academic get an up-close view of one of this era's most influential political figures, but also one of the most difficult to understand.

"The panorama is breathtaking," Baker said. "Here is somebody who has his [finger on the] pulse [of] all the major policy areas, has to, and has a staff that is equipped to do that. So the feelers are out, the sensors are everywhere, the neurons are firing constantly."

Reid said he wanted Baker to "focus on the Senate as an institution" for history's sake, and the professor wrote a 2014 book, "Is Bipartisanship Dead?" based largely on his 2012 experience with Reid.

"We all trust him," Reid said in a telephone interview this week from Nevada.

He allowed Baker into every senior staff meeting and let him watch Reid's senior aides prep the senator every Tuesday morning for his weekly news conference. "He doesn't speak up very often, but when he does, we all listen," Reid added.

The low-light came when Republicans filibustered the ratification of a treaty to elevate global standards for the disabled, opening Baker's eyes to the ability of conservative groups to block legislation.

Now, Baker thinks the calls on both sides for "regular order"—legislation beginning in committee, involving junior members, emerging to full and open debates on the House and Senate floor—are hollow.

"There are just too many forces arrayed against it for it to work," he said. "I think it's a function of polarization, that leaders have to get control of the process and have to use exotic procedures that are basically incomprehensible."

Yet Reid was never the dictator in Johnson's 1950s style, according to Baker. Those senators whom Reid rebuffed after his initial "I'll take a look at it" would soon find him doing a quick favor. "He will double back and do something for that person to make them feel important," Baker said.

Baker has long been known as a leading congressional expert, a go-to resource for news media in need of translating Washington. These stints on Capitol Hill have given him a first-hand experience, spanning decades, that few scholars can match.

Baker's political interests started randomly. In the mid-1970s, when he was fashioning himself as an Africa expert and writing occasional op-eds in *The Washington Post*, Baker decided to refocus his career on U.S. politics, and on Congress in particular.

So the 36-year-old professor persuaded Sen. Walter Mondale's chief of staff, Richard Moe, to give him a break. Baker read the academic version of Washington in journals on his bus commute, then lived the real-life version by day, spending a full academic year among the offices of Mondale (D-Minn.) and Sens. Birch Bayh (D-Ind.) and Frank Church (D-Idaho).

Back then, Baker was more like a regular staffer, writing speeches for Bayh and helping Church in his late-breaking bid for the 1976 presidential nomination. He almost accepted Church's offer of a full-time job but returned to Rutgers for the fall of 1976.

"But I got a serious, you know, a chronic case of Potomac Fever," Baker said.

By 1983, the time of his next full-year sabbatical, he had landed a gig with the House Democratic Caucus, when the massive majority included dozens of "Boll Weevil" Democrats who backed Ronald Reagan's tax cuts and strong military posture.

Baker went another 17 years before he got back to the Capitol, returning to the Senate

and to his only Republican boss, then-Sen. Chuck Hagel (Neb.).

He bounced from there into the office of Sen. Patrick J. Leahy (Vt.), the top Democrat on the Judiciary Committee, spending several months there in 2000 and again in 2004. There, he saw up close how senior senators have to focus on one significant policy arena at the expense of others.

“There’s this sort of policy triage that senators have to engage in, which is: They can’t possibly devote themselves equally to three major committee assignments,” Baker said.

Several years later, Baker’s Rutgers connection paid off.

Reid’s longtime senior aide Susan McCue was a Rutgers alumna, connecting Baker with Reid, which led to tours with the majority leader in 2008 and 2012, as well as a brief stint during the 2014 lame-duck session. These past four months were Baker’s first stint with Reid in the minority.

With his Reid partnership ending, Baker is returning to another semester of “American Government” this fall at Rutgers.

“I at least come out of it with fresh anecdotes for my undergraduates,” Baker said. “I mean, I just don’t want to ever be in a position of mentioning a name and they look at me blankly.”

BUDGET COMMITTEE COST ESTIMATE—S. 2844

Mr. ENZI. Mr. President, I offer for the RECORD the Budget Committee’s cost estimate of S. 2844, the Transportation, Housing and Urban Development Appropriations Act for fiscal year 2017.

The reported measure provides \$56.5 billion in discretionary budget authority for fiscal year 2017, which will result in new outlays of \$46.3 billion. When outlays from prior-year budget authority are taken into account, non-emergency discretionary outlays for the bill will total \$120.5 billion.

The reported bill matches its section 302(b) allocation set forth in S. Rept. 114-238 for budget authority for both the security and nonsecurity categories and is below the 302(b) allocation for outlays by \$10 million.

The bill contains emergency-designated appropriations, which are effectively exempt from budget enforcement. The Budget Act provides a mechanism to prevent abuse of the emer-

gency designation in the form of the 314(e) point of order, which allows any Senator to challenge whether the appropriation is actually needed for an emergency. Specifically, the bill transfers to the community planning and development account previously appropriated emergency-designated Housing and Urban Development spending for administrative costs related to disaster relief efforts. This transfer does not change budget authority, but increases outlays by \$1 million. I will adjust the allocations by this amount unless a challenge to the use of the emergency designation is successful, which would occur if fewer than 60 Senators agree that the appropriation is needed for an emergency purpose.

I ask unanimous consent to have printed in the RECORD the table displaying the Budget Committee scoring of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2844, 2017 TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS—SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal Year 2017, \$ millions)

	Budget Authority		Outlays	
	Security	Nonsecurity	Total	Total
Senate-reported bill	275	56,199	56,474	120,461
Senate 302(b) allocation	275	56,199	56,474	120,471
2016 Enacted	210	57,391	57,601	120,469
President’s request	211	51,781	51,992	118,800
SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation	0	0	0	—10
2016 Enacted	65	—1,192	—1,127	—8
President’s request	64	4,418	4,482	1,661

Note: Details may not add to totals due to rounding. Includes emergency-designated spending.

BUDGET COMMITTEE COST ESTIMATE—S. 2806

Mr. ENZI. Mr. President, I offer for the RECORD the Budget Committee’s cost estimate of S. 2806, the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act for fiscal year 2017.

The reported measure provides \$75.1 billion in discretionary budget author-

ity for fiscal year 2017, which will result in discretionary outlays of \$83.1 billion.

The reported bill matches its section 302(b) allocation set forth in S. Rept. 114-238 for budget authority for both the security and nonsecurity categories, and is below the 302(b) allocation for outlays by \$10 million.

The bill is not subject to any budget-related points of order.

I ask unanimous consent to have printed in the RECORD the table displaying the Budget Committee scoring of the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2806, 2017 MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS—SPENDING COMPARISONS—SENATE-REPORTED BILL

(Fiscal Year 2017, \$ millions)

	Budget Authority		Outlays	
	Security	Nonsecurity	Total	Total
Senate-reported bill	7,930	75,100	83,030	83,141
Senate 302(b) allocation	7,930	75,100	83,030	83,151
2016 Enacted	8,171	71,698	79,869	79,813
President’s request	7,443	75,254	82,697	83,778
SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation	0	0	0	—10
2016 Enacted	—241	3,402	3,161	3,328
President’s request	487	—154	333	—637

Note: Details may not add to totals due to rounding. Excludes Overseas Contingency Operations funding in President’s request.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with

those adjustments. The Senate will soon consider Senate amendment No. 3896, filed by Senator COLLINS. This amendment includes the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017, as reported by the Committee on Appropriations. The amendment includes a provision related to the Department of Housing and Urban Development’s administrative costs for disaster relief activities that results in

\$1 million in outlays. This provision is designated as an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of this designation makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for 2017 by \$1 million in outlays. I am also increasing the

2017 allocation to the Appropriations Committee by \$1 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES		REVISION TO BUDGETARY AGGREGATES—Continued	
(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)		(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)	
\$s in millions	2017	\$s in millions	2017
Current Spending Aggregates:		Outlays	1
Budget Authority	3,212,350	Revised Spending Aggregates:	
Outlays	3,219,191	Budget Authority	3,212,350
Adjustments:		Outlays	3,219,192
Budget Authority	0		

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017
(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

\$s in millions	2017
Current Allocation:	
Revised Security Discretionary Budget Authority	551,068
Revised Nonsecurity Category Discretionary Budget Authority	518,531
General Purpose Outlays	1,181,800
Adjustments:	
Revised Security Discretionary Budget Authority	0
Revised Nonsecurity Category Discretionary Budget Authority	0
General Purpose Outlays	1
Revised Allocation:	
Revised Security Discretionary Budget Authority	551,068
Revised Nonsecurity Category Discretionary Budget Authority	518,531
General Purpose Outlays	1,181,801
Memorandum: Detail of Adjustments Made Above	
	OCO Program Integrity Disaster Relief Emergency Total
Revised Security Discretionary Budget Authority	0 0 0 0 0
Revised Nonsecurity Category Discretionary Budget Authority	0 0 0 0 0
General Purpose Outlays	0 0 0 1 1

TRIBUTE TO COLONEL DOUGLAS J. SCHWARTZ

Mr. DONNELLY. Mr. President, today I rise to recognize and honor the extraordinary service of Col. Douglas J. Schwartz, 434th Air Refueling Wing commander, and to wish him well upon his retirement. A dedicated and loyal public servant, Colonel Schwartz has served the people of Indiana and the United States in the U.S. Air Force for approximately 35 years. A command pilot, Colonel Schwartz has more than 4,200 flying hours, and his service includes deployments in support of U.S. military efforts in the Balkans, Iraq, and Afghanistan.

A native of Fort Wayne, IN, Colonel Schwartz graduated from Purdue University and received his commission through the Air Force Officer Training School in 1981. Shortly thereafter, he entered pilot training at Williams Air Force Base, AZ, and was assigned to the 325th Bomb Squadron at Fairchild Air Force Base, WA. He transferred to the Air Force Reserve in 1992 and flew KC-135R Stratotankers with the 72nd Air Refueling Squadron at Grissom. From October 1992 until March 2007, he held numerous command and leadership assignments at Grissom, including assistant chief pilot, chief of standardization and evaluation, operations officer, flight commander, and detachment commander. Colonel Schwartz has also served as detachment commander and operations group commander of the 927th Air Refueling Wing at MacDill Air Force Base, FL; vice commander of the 932nd Airlift Wing at Scott Air Force Base, IL; director of staff for the 4th Air Force; and wing commander of the 927th Air Refueling Wing at McDill Airforce Base, FL, before returning to Grissom to assume command of the 434th Air Refueling Wing in June 2014.

Under the leadership of Colonel Schwartz, Grissom is home to one of our Nation's finest Air Force units

with the dedicated men and women of the 434th Air Refueling Wing and the largest KC-135R Stratotanker unit in the Air Force Reserve Command. Colonel Schwartz has helped Grissom play a large and growing role in our national defense, and he has worked to ensure the Air Force recognizes the tremendous asset we have in Indiana.

We thank Colonel Schwartz for his service, dedication, and commitment to protecting Hoosiers and our Nation. Indiana has a long and proud tradition of serving our country, and Colonel Schwartz's leadership has played a critical role in ensuring that our brave men and women at the 434th Refueling Wing have the training and support they need. On behalf of all Hoosiers, I wish Colonel Schwartz and his wife, Ann, the best in the years ahead.

ADDITIONAL STATEMENTS

TRIBUTE TO DAVID C. QUAM

• Mr. ALEXANDER. Mr. President, today I wish to honor David Quam, deputy director for policy with the National Governors Association, or NGA. Senator MANCHIN and Senator ROUNDS both join me in honoring David, who concluded his tenure with NGA after 13 years of service to the Nation's Governors on April 29.

As he begins a new chapter in his distinguished professional career, I would like to highlight the important work David led at NGA, the bipartisan organization of the Governors of the 55 States, territories, and Commonwealths. David has been a strong voice for the Nation's Governors in the areas of State taxation, telecommunications and technology, budget and appropriations, national security, veterans affairs, the National Guard, and the critical role of States in responding to the great recession and natural disasters. He testified before Congress 15 times,

principally on State taxation matters. David also helped launch NGA's international program, leading a series of subnational trade conferences in Salt Lake City and Beijing between U.S. and Chinese Governors under a bilateral agreement between the United States and the People's Republic of China.

Since 2003, David has helped frame and convey the bipartisan views of U.S. Governors to Members of Congress, Presidential administrations and Federal executive branch officials, private sector executives, and international leaders. He has represented the consensus positions of Governors through numerous television appearances and print interviews with publications, including: the New York Times, Wall Street Journal, USA Today, Washington Post, CNN, National Public Radio, Congressional Quarterly, Bureau of National Affairs, Politico, Boston Globe, Los Angeles Times, Chicago Tribune, Chicago Sun-Times, Atlanta Journal-Constitution, Denver Post, and the Bond Buyer.

David relished his role as chief advocate presenting the collective voice of the Nation's Governors, often describing it as the "best job in Washington, D.C." He executed it well.

Through David's leadership of the Office of Federal Relations, NGA holds a respected record in developing policy solutions and effectively advocating the Governors' collective policy priorities before Congress and the administration. David and his team of professionals have helped to maintain a seat at the table for the Nation's Governors on many critical national issues.

On behalf of all of my Senate colleagues who are former Governors, especially Senator MANCHIN and Senator ROUNDS, many of whom have worked directly with David Quam for years, I wish to express our thanks for his zealous bipartisan advocacy on behalf of the Nation's Governors, sound counsel,

good humor, and tireless defense of the Tenth Amendment on behalf of the States.●

TRIBUTE TO JIM GRANT

● Ms. AYOTTE. Mr. President, today I wish to honor the significant contributions that Peterborough native Jim Grant has made to New Hampshire throughout his life. I am proud to recognize Jim's service in the Granite State and dedication to his fellow New Hampshire residents.

Jim has lived his entire life in Peterborough and is proud of his roots, which are represented on his vanity license plate with the phrase "LUVPBRO." In addition to being well-known and beloved by his neighbors, Jim epitomizes the spirit of generosity in New Hampshire. Spanning decades, Jim's dedication to volunteerism is outstanding, and he has served as a volunteer firefighter for 53 years. His record of service also includes volunteering for the Salvation Army, founding the Monadnock Workspace—an organization that employs and empowers those with developmental challenges—and co-founding the Peterborough Sunshine Fund, which assists individuals with emergency and travel needs.

It is only fitting that Jim's own profession would be as a teacher who educated and inspired generations of students. His passion for teaching compelled him to found the organization where he works today, Staff Development for Educators. By ensuring and enriching the professional development needs of educators, Jim is helping to spread education across the globe.

Jim has contributed greatly to the Greater Monadnock region, injecting positivity into the lives of people he may never know. It is an honor to highlight Jim's life of service and commitment to a cause greater than himself. His selflessness and generosity is a testament to all that is great in New Hampshire.

I extend my sincerest thanks to Jim for all that he has done and continues to do for the people of New Hampshire. I am extraordinarily proud to join his friends and neighbors in commending Jim for a life well lived and his lifetime of giving.●

TRIBUTE TO DELANEY BIEL

● Mr. DAINES. Mr. President, today I wish to recognize a Hinsdale High School senior, Delaney Biel. Delaney is described by her EMT instructor, Dorothy Jensen, as "a determined team player, who is committed to her community. She consistently exceeds expectations . . . I'd trust her with my life." Delaney is already a nationally certified emergency medical technician and will soon be receiving her State certification any moment now.

The loss of three classmates in recent years inspired Delaney to enroll in an EMT course offered at her own high

school. Initially, an aspiring businesswoman, she has said, "the class absolutely changed what I wanted to do as a career. As a kid I was afraid of hospitals, but with the ambulance I get to make decisions in a fast-paced environment and I can get down to business without getting flustered." So far she has responded to women in labor and individuals with cardiac and diabetic emergencies. Last year, Delaney gave up basketball, volleyball, and most of her free time in the service of her community.

As a fifth generation Montana rancher, making the switch from farming equipment to an ambulance was simple. Both working her family's ranch and participating in Hinsdale athletics prepared her for the collaboration essential to high quality urgent care. Delaney has said, "This is a team sport; it's not about you, it's about everyone using their strengths to make the team work."

Delaney likes to keep a full schedule. Since April of last year, she has completed 500 hours of community service, administering bimonthly blood pressure screenings at the local senior center. She is also a member of FFA, president of student council, a member of the music department, and a member of the National Honor Society.

This fall, at Montana State University-Northern, Delaney will continue on her path to becoming a medical professional by pursuing a bachelor's degree in nursing. After college, she intends to gain hands-on experience in the emergency rooms of Billings and Great Falls before applying to medical school. Her long term goal is to raise a family in Hinsdale and spend a few days each week where she got started, with the volunteer ambulance.

This young woman's dedication is inspiring. It is our small-town family values that makes Montana so special. Her example encourages each of us to reach beyond expectations we have set for ourselves and do our part to strengthen our communities.

Delaney, I wish you the best in college, and thank you for your service to our great State. Keep making us proud.●

CONGRATULATING JOHN TIERNEY

● Mr. HELLER. Mr. President, today I wish to congratulate John Tierney on being named Nevada's 2016 Michael Landsberry Teacher of the Year. This accolade is truly prestigious, attained by only the most influential of Nevada's educators. Without a doubt, Mr. Tierney's work at Adobe High School in the Elko County School District warrants recognition with this incredible award.

Mr. Tierney started his career in teaching three decades ago at the Fremont Unified School District. In 1989, he moved to Nevada and began teaching English and social studies at Adobe Middle School and has remained a valued member of the Red-Tailed Hawks'

faculty department ever since. In addition to time spent in the classroom, Mr. Tierney leads the social studies department and serves on the School Improvement Team at Adobe High School. He is also a national facilitator for PBS TeacherLine, which provides online professional development courses for Pre-K through 12th grade teachers. Mr. Tierney's unwavering dedication to his students at Adobe High School over the last 25 years goes without question. He is truly a role model, providing an innovative and interactive teaching style for those in his classroom, and he encourages students with open discourse and debate. His commitment to his students is invaluable to the Elko community.

As the father of four children and as the husband of a teacher, I understand the important role educators play in enriching the lives of Nevadans. Ensuring students throughout the Silver State are prepared to compete in the 21st century is critical for the future of our country. The State of Nevada is fortunate to be home to educators like Mr. Tierney.

I ask my colleagues and all Nevadans to join me in thanking Mr. Tierney for his dedication to enriching the lives of Nevada's students and congratulating him on receiving this award. I wish him well in all of his future endeavors and in creating success for all students who enter his classroom.●

TRIBUTE TO CAROLE VILARDO

● Mr. HELLER. Mr. President, today I wish to congratulate Carole Vilardo on her retirement after three decades of service to the Great State of Nevada. Ms. Vilardo has gone above and beyond in her role with the Nevada Taxpayers Association, NTA, embodying Nevada's values of strength and steadfast dedication to improving the Silver State's tax laws.

Ms. Vilardo began her career with the NTA in 1986 when she was assigned to work on issues including taxes, spending, and business regulation. Prior to this, she owned a retail shop and teamed up with former Nevada State Senator Ann O'Connell in spearheading work to create tougher shoplifting laws in Nevada. These laws were later adopted and became a model to other States. From 1972 to 1986, the two worked as a team to better the State of Nevada by advocating for greater accountability for the Clark County Commission in its actions and decisions.

After joining the NTA, Ms. Vilardo worked for 30 years to maintain unbiased and fair tax laws for the Silver State. Throughout her tenure, Ms. Vilardo was recognized as a tax expert with an unparalleled ability to explain complex issues to those around her. Even with the slightest change in legislation, Ms. Vilardo could explain the direct effects these decisions would have on Nevada's economy. She was one-of-a-kind, earning the trust of anyone she made contact with. In addition,

she served as a true watchdog of Nevada's spending. Her public service will be sorely missed by our Great State.

After three decades of providing insightful testimony on tax policy and instrumental counsel to those helping shape Nevada's laws, Ms. Vilardo recently retired. Her legacy throughout the Silver State and at the NTA will continue on for years to come. Ms. Vilardo will continue to be respected for her in-depth knowledge, years of unwavering dedication to our State, and for her ability to create long-lasting and positive relationships throughout Nevada. Her vigilance and determination in creating effective tax policy for our State will not be forgotten.

Ms. Vilardo has demonstrated true commitment to Nevada, exemplifying what it means to fight for the greater good of our Great State. We are lucky to have had someone of such dedication working on behalf of the Silver State. I ask my colleagues and all Nevadans to join me in thanking Ms. Vilardo for her years of service, and I wish her well in all of her future endeavors.●

TRIBUTE TO GENERAL JOHN F. CAMPBELL

● Mr. MCCAIN. Mr. President, today I wish to honor a strategic leader and exceptional warrior of tremendous talent. After a lifetime of distinguished service to our Nation, GEN John F. Campbell is retiring from the U.S. Army. On this occasion, I believe it is fitting to recognize General Campbell's decades of dedicated service to our Nation.

General Campbell graduated from the U.S. Military Academy in 1979 and commissioned in the U.S. Army infantry. During his more than 37 years of service, he has commanded units at every echelon from platoon leader, to four-star command, and in places such as Haiti, Afghanistan, and Iraq.

Upon promotion to brigadier general in 2005, he was assigned as the deputy commanding general for Maneuver, 1st Cavalry Division, deployed to Baghdad, and is widely credited with holding together the force during a very violent period leading up to the surge. His following assignment was the deputy director for regional operations at the Joint Staff. After being promoted to major general, he was named commander of the Screaming Eagles, 101st Airborne Division, and deployed to Afghanistan as commander, Regional Command East, International Security Assistance Force, ISAF, North Atlantic Treaty Organization, NATO, and commander, Combined Joint Task Force-101. He commanded over 30,000 coalition servicemembers and 65,000 Afghan National Defense and Security Forces. The scope of his responsibility included the protection of 13 million people and the security of a 450-mile border with Pakistan.

At Fort Campbell, KY, General Campbell cultivated lasting relationships within the community to support soldiers, civilians, and families. He in-

stalled programs to facilitate a comprehensive fitness program, develop soldier and family resiliency, and significantly decrease the suicide rate. As lieutenant general, he became the Army Deputy Chief of Staff for Operations, Plans and Training. He was promoted to general and, in 2014, confirmed as the 34th U.S. Army Vice Chief of Staff, where he promoted the physical, moral, and mental fitness required for improved readiness and resiliency. He was an advocate for stopping sexual harassment and assault and supported Wounded Warrior programs. He was vital in updating Congress on the Army's path ahead for these and other key issues. In addition, he coordinated a restructure of posts and stations that helped decrease 17,500 personnel by fiscal year 2017 to meet mandated end strength goals.

In 2014, General Campbell deployed to Afghanistan and took command of the NATO ISAF mission and United States Forces—Afghanistan. During his first 6 months, Afghanistan held an extended electoral process and installed a new President and Chief Executive as part of the National Unity Government. After this, General Campbell managed an over 90 percent drawdown of U.S. forces and installations; he transitioned the force from regional commands to train, advise, and assist commands. He helped transition ISAF to a functionally based security force assistance mission designated Resolute Support and became commander of both Resolute Support and United States Forces—Afghanistan for the next 14 months. He served as adviser to the President of Afghanistan, the Ministers of Defense and Interior, and the National Director of Security. His influence during the era of the National Unity Government will have long lasting strategic impacts in Afghanistan and the region.

General Campbell is well known for his strategic brilliance and calm fortitude. He is the embodiment of all the values we expect in our most revered leaders: the rare tenacity to accomplish impossible missions; the selfless commitment to country, soldier, and family; and the composition of character that demonstrates only the highest moral and ethical values. He is known for telling his soldiers, "Leadership makes a difference," yet it is his exemplary leadership that had made a difference to countless thousands both abroad and at home.

I thank his wife, Ann; his daughter, Jennifer; and his son, John, Jr., who is also serving in the Army, for their years of dedication and support. As the chairman of the Senate Armed Services Committee and on behalf of those who serve beside me, let me express the deepest respect and gratitude to General Campbell for his remarkable service to our Nation. I wish you and your family all the best in beginning your new chapter of life together.●

100TH ANNIVERSARY OF BETH ISRAEL CONGREGATION

● Mr. PETERS. Mr. President, today I wish to recognize the 100th anniversary of Beth Israel Congregation in Ann Arbor, MI. I appreciate the opportunity to speak about this truly significant milestone in the history of this congregation, as well as the city of Ann Arbor and Washtenaw County. I offer Beth Israel my warmest regards and congratulations on its centennial. I am also pleased to express my pride in the many contributions of the congregation's members, who dedicate their talents to benefit Beth Israel and the greater good in Ann Arbor.

Established in 1916, Beth Israel was Ann Arbor's only Jewish congregation for many years. Initially, families met informally in the home of Osias Zwerdling to celebrate the Jewish High Holidays and community milestones. Mr. Zwerdling, a furrier by trade, would serve as the diverse congregation's president for the next 40 years. His leadership was particularly valuable given the fact that the congregation, as in many small American towns in the early twentieth century, operated without a rabbi. Instead, members of the congregation volunteered in a variety of roles, including teaching in Hebrew school, leading the congregation in prayer as cantor, or serving as its *schochet* to ensure the kosher slaughter of animals.

Early on, Beth Israel hired Reverend Pincus Gropstein, who was paid \$18 a week to serve the congregation's 30 families. In 1932, Rabbi Joshua Sperka became the congregation's first ordained rabbi and served in the role until 1934. After his departure, the congregation continued to rely on the devoted efforts of its members, who provided a steady backdrop to the contributions of Rabbi Julius Weinberg, who served from 1952 to 1961; Rabbi Allan Kensky, who served from 1971 to 1988; and Rabbi Robert Dobrusin, who has guided Beth Israel since 1988 with wisdom, humor, and warmth.

Beth Israel Congregation was the first conservative congregation in southeast Michigan to become egalitarian, encouraging men and women to participate equally in the ritual and spiritual life of the congregation, and was the first conservative congregation in the United States to choose a female president. The community's welcoming spirit is exemplified in its longstanding support of the LGBT community, where it is an active leader in promoting inclusion in the conservative Jewish movement, which is highlighted by its advocacy for the ordination of LGBT rabbis. Moreover, Beth Israel has taken steps to ensure people with disabilities have full access to the synagogue and its services.

In addition to nurturing an inclusive environment at Beth Israel, the congregation is committed to supporting the Jewish community at home and abroad. Members take steps to ensure that everyone has a place to celebrate

the Passover Seder, volunteer in the congregation's extensive Hebrew language program, and send care packages throughout the world, including a care package that gave a soldier in Manila and Jewish communities in Nigeria, Zimbabwe, and Uganda the chance to celebrate Purim. The synagogue is also proud of its sponsorship of trips to Israel, as well as serious dialogue it fosters on issues related to Israel and the Middle East. Beyond its service to the Jewish community, Beth Israel is committed to the larger Ann Arbor community; playing an active role in city's Interfaith Hospitality Network, Interfaith Round Table, and the Ann Arbor Shelter Association.

Once again, I applaud Beth Israel Congregation in Ann Arbor, MI, on its 100th anniversary. The congregation's generosity and commitment to diversity exemplify the values of the people of Ann Arbor and the State of Michigan, who I am proud to represent in the Senate. I thank Beth Israel for its decades of service to the Jewish community and everyone in Ann Arbor. I wish the congregation and leadership of Beth Israel many more decades of success and may they always go from strength to strength.●

TRIBUTE TO NEAL ACKER

● Mr. SESSIONS. Mr. President, today I wish to congratulate Mr. Neal Acker, who at the end of this year will be retiring from a distinguished 12-year career as the general counsel of the Alabama Housing Finance Authority, AHFA. Neal graduated from the University of Alabama School of Law and was formerly associated with the law firm of Capell and Howard in Montgomery. Neal and his wife, Beth, have been close and valued friends of mine for many years and have been wonderful public spirited citizens.

The Alabama Housing Finance Authority was established by the Alabama State Legislature in 1980 to provide financing options for low and moderate-income families. In its first year, AHFA issued \$150 million in low-interest loans, but since then, that number has grown by over \$2 billion. The last 35 years, the organization has expanded from providing financing to individual homeowners, to capitalizing substantial housing investment projects across the State.

Neal served AHFA through some of the worst natural disasters in Alabama's history. Through his leadership and dedication, the organization was able to provide temporary lodging to those affected by Hurricane Katrina and the 2011 tornado outbreak. Throughout his service to the people of Alabama, Neal also worked closely with the Tuscaloosa VA to develop housing options for homeless veterans.

Neal is a brilliant lawyer with great judgment. These qualities have played a key role in the success of the AHFA. AHFA has been governed most effectively during its dramatic growth. It is

certainly one of the finest Housing Finance Authorities in America. Neal has been a right hand to this success and helped my office assist the authority in its good work. I am honored to have been able to work with Neal and am proud to call him my friend.●

RECOGNIZING BUENO FOODS

● Mr. UDALL. Mr. President, today I wish to honor a longstanding New Mexico institution: Bueno Foods. New Mexicans pride ourselves for our creative and delicious food, especially our homegrown chile. It is our official State vegetable and even the reason for our official state question, "Red or Green?" While generations of New Mexicans have loved chile in all sorts of forms, even dessert, our famous cuisine has more recently been adopted by food lovers across the world. And that is largely thanks to Bueno Foods.

On May 18, 2016, Bueno Foods of Albuquerque, NM, will celebrate its 65th anniversary. That is a cause to celebrate Bueno Foods can trace its heritage to Hispanic farmers and businessowners going back to the Spanish explorers who came to New Mexico in the 1500s. The company was formed in 1946 when several brothers from an old New Mexico family, the Bacas, returned from serving in World War II and scraped together enough money to start a grocery business. Their grocery was very successful at the beginning, but it faced a strong challenge when larger chains started opening up branches in the State. So the Baca brothers set out to benefit from New Mexico's unique heritage, differentiate their business from out-of-state grocers, preserve our traditions, and of course, expand their sales.

Bueno Foods was born, founded in 1951, manufacturing corn and flour tortillas, tamales and posole at a time when household appliances were just entering many homes around the country. The brothers had another idea, too: to take chile, roast it over an open flame as the New Mexico autumn tradition dictates, and freeze it so that people could enjoy green chile year-round. It was a success, and history was made.

Over half a century later, you can find Bueno Foods in nearly every grocery store in the State and many others outside New Mexico. From Hawaii to Washington, DC, Bueno Foods has served as a proud ambassador of New Mexico cuisine, exposing new markets to delicious, fiery chile and the critical question, "red or green?"

For 65 years, Bueno Foods has made an old dicho the reality for all of us. "Panza llena, corazon contento; Full belly, happy heart." Today, I recognize the Baca brothers, Jacqueline, Gene, Catherine, Ana, and the rest of the Bueno Foods family for the business they started and the tradition they still are helping to preserve.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13611 OF MAY 16, 2012, WITH RESPECT TO YEMEN—PM 47

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13611 of May 16, 2012, with respect to Yemen is to continue in effect beyond May 16, 2016.

The actions and policies of certain members of the Government of Yemen and others continue to threaten Yemen's peace, security, and stability, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provided for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, and by obstructing the political process in Yemen. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13611 with respect to Yemen.

BARACK OBAMA.

THE WHITE HOUSE, May 12, 2016.

MESSAGES FROM THE HOUSE

At 11:14 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3680. An act to provide for the Secretary of Health and Human Services to carry out a grant program for co-prescribing opioid overdose reversal drugs.

H.R. 3691. An act to amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women.

H.R. 4599. An act to amend the Controlled Substances Act to permit certain partial fillings of prescriptions.

H.R. 4843. An act to amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, and for other purposes.

H.R. 4969. An act to amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing youth sports and subsequently prescribed an opioid.

H.R. 4976. An act to require the Commissioner of Food and Drugs to seek recommendations from an advisory committee of the Food and Drug Administration before approval of certain new drugs that are opioids without abuse-deterrent properties, and for other purposes.

H.R. 4978. An act to require the Government Accountability Office to submit to Congress a report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid, and for other purposes.

H.R. 4981. An act to amend the Controlled Substances Act to improve access to opioid use disorder treatment.

H.R. 4982. An act to direct the Comptroller General of the United States to evaluate and report on the in-patient and outpatient treatment capacity, availability, and needs of the United States.

The message further announced that the House agreed to the amendments of the Senate to the text of the bill (H.R. 4336) to amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service, and agreed to the amendment of the Senate to the title of the bill.

The message also announced that pursuant to 10 U.S.C. 4355(a), clause 10 of rule I, and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Military Academy to fill the existing vacancy thereon: Mr. SEAN PATRICK MALONEY of New York.

At 1:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4641. An act to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.

ENROLLED BILLS SIGNED

At 3:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 32. An act to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

S. 125. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.

S. 2755. An act to provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

H.R. 4238. An act to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

H.R. 4336. An act to amend title 38, United States Code, to provide for the inurnment in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3680. An act to provide for the Secretary of Health and Human Services to carry out a grant program for co-prescribing opioid overdose reversal drugs; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3691. An act to amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4599. An act to amend the Controlled Substances Act to permit certain partial fillings of prescriptions; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4641. An act to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4843. An act to amend the Child Abuse Prevention and Treatment Act to require certain monitoring and oversight, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4969. An act to amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing youth sports and subsequently prescribed an opioid; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4976. An act to require the Commissioner of Food and Drugs to seek recommendations from an advisory committee of the Food and Drug Administration before approval of certain new drugs that are opioids without abuse-deterrent properties, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4978. An act to require the Government Accountability Office to submit to Congress a report on neonatal abstinence syndrome (NAS) in the United States and its treatment under Medicaid, and for other purposes; to the Committee on Finance.

H.R. 4981. An act to amend the Controlled Substances Act to improve access to opioid use disorder treatment; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4982. An act to direct the Comptroller General of the United States to evaluate and report on the in-patient and outpatient

treatment capacity, availability, and needs of the United States; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals For Fiscal Year 2017" (Rept. No. 114-253).

By Mr. GRASSLEY, from the Committee on the Judiciary, with amendments:

S. 2348. A bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 2577. A bill to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 2840. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 2923. A bill to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Park for the Arts", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself, Mr. ISAKSON, Mr. PERDUE, and Mr. DURBIN):

S. 2924. A bill to award a Congressional Gold Medal to former United States Senator Max Cleland; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK:

S. 2925. A bill to require the Secretary of Veterans Affairs to provide for the inspection of kitchens and food service areas at medical facilities of the Department of Veterans Affairs to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department; to the Committee on Veterans' Affairs.

By Mr. UDALL:

S. 2926. A bill to make technical changes to provisions authorizing prize competitions under the Stevenson-Wyder Technology Innovation Act of 1980, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LANKFORD (for himself, Mr. MORAN, and Mr. BLUNT):

S. 2927. A bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES:

S. 2928. A bill to require an expedited decision with respect to securing land-based missile fields, and for other purposes; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2929. A bill to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself, Mr. BARASSO, and Mr. INHOFE):

S. 2930. A bill to ensure that Federal funding for the United Nations Framework Convention on Climate Change complies with applicable statutory limitations; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL:

S. Res. 461. A resolution commending the Special Inspector General for Afghanistan Reconstruction, John Sopko, and his office for their efforts in providing accountability for taxpayer dollars spent in Afghanistan; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. MIKULSKI, Mr. CASEY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. LEAHY, Mrs. BOXER, Ms. WARREN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. BROWN, Mr. MERKLEY, Mr. MENENDEZ, Mr. MARKEY, Ms. HIRONO, Ms. CANTWELL, Mr. REID, and Mr. CARPER):

S. Res. 462. A resolution urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. ERNST):

S. Res. 463. A resolution honoring the memory and service of Omaha Police Officer Kerrie Orozco; considered and agreed to.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. Res. 464. A resolution commemorating the 75th anniversary of the Alaska State Troopers; considered and agreed to.

By Mr. KAINE (for himself and Mr. WARNER):

S. Con. Res. 37. A concurrent resolution recognizing the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 71

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on

Federal and federally funded construction projects.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 356

At the request of Mr. LEE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 743

At the request of Mr. CASEY, his name was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 804

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1301

At the request of Ms. HIRONO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1301, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

S. 1409

At the request of Mr. MARKEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1409, a bill to amend title XIX of the Social Security Act to require States to suspend, rather than terminate, an individual's eligibility for medical assistance under the State Medicaid plan while such individual is an inmate of a public institution.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2340

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2340, a bill to require the Director of the Office of Management and Budget to issue a directive on the man-

agement of software licenses, and for other purposes.

S. 2348

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 2348, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 2377

At the request of Mr. REID, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2604

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2604, a bill to establish in the legislative branch the National Commission on Security and Technology Challenges.

S. 2613

At the request of Mr. GRASSLEY, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2613, a bill to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from West Virginia (Mrs. CAPITO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2736

At the request of Mr. THUNE, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from Alaska (Ms.

MURKOWSKI) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2825

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2825, a bill to amend title 37, United States Code, to require compliance with domestic source requirements for footwear furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces.

S. 2835

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2835, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance for the rehabilitation and repair of high hazard potential dams, and for other purposes.

S. 2840

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2840, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

S. 2849

At the request of Mr. SASSE, the names of the Senator from Arizona (Mr. McCAIN) and the Senator from Missouri (Mrs. McCASKILL) were added as cosponsors of S. 2849, a bill to ensure the Government Accountability Office has adequate access to information.

S. 2892

At the request of Ms. STABENOW, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2892, a bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2909

At the request of Mr. NELSON, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2909, a bill to amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign persons and entities to satisfy certain judgments against terrorist parties, and for other purposes.

S. 2921

At the request of Mr. ISAKSON, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were

added as cosponsors of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. CON. RES. 30

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. Con. Res. 30, a concurrent resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

S. CON. RES. 35

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 397

At the request of Ms. CANTWELL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 397, a resolution supporting the recognition of 2016 as the "Year of Pulses" and acknowledging the nutritional benefit and important contribution to soil health of pulse crops.

S. RES. 432

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 432, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 459

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as "National Cancer Research Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. ISAKSON, Mr. PERDUE, and Mr. DURBIN):

S. 2924. A bill to award a Congressional Gold Medal to former United States Senator Max Cleland; to the

Committee on Banking, Housing, and Urban Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2924

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Max Cleland Congressional Gold Medal Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Joseph Maxwell "Max" Cleland has demonstrated the highest degree of professionalism and has served as an inspiration to friends, family, veterans, and many others while dedicating his life to the public service of the United States.

(2) Max Cleland began his career in public service when he joined the Reserve Officers' Training Corps as a young college student, went on active duty in the United States Army (in this section referred to as the "Army") in 1965 as a Second Lieutenant, and volunteered for service in Vietnam, rising to the rank of Captain.

(3) The Army recognized Max Cleland with a Silver Star for his gallantry in action during the Battle of Khe Sanh in April of 1968. According to the letter of commendation from the Army, "The President of the United States of America, authorized by Act of Congress, July 8, 1918 (amended by act of July 25, 1963), takes pleasure in presenting the Silver Star to Captain (Signal Corps) Joseph Maxwell Cleland, United States Army, for gallantry in action while engaged in military operations involving conflict with an armed hostile force in the Republic of Vietnam."

(4) Max Cleland, a Battalion Signal Officer dispatched to set up a radio relay antenna, was severely wounded on the battlefield and, as a result, lost both of his legs and his right arm. Cleland would endure 18 months of extremely difficult rehabilitation and recovery at Walter Reed Army Medical Center and hospitals of the Department of Veterans Affairs (in this section referred to as "VA hospitals") in Washington, DC. In 1969, Cleland testified before the Senate Committee on Veterans' Affairs on the hardships faced by veterans returning home from war.

(5) Upon returning to Georgia, Max Cleland was determined to continue his public service and, in 1970, at the age of 28, was elected as the youngest Georgia State senator and helped pass legislation to make public facilities accessible for veterans, older people, and individuals with disabilities.

(6) Max Cleland later came to Washington, DC and joined the Senate Committee on Veterans' Affairs as a professional staff member, investigating VA hospitals across the country and the treatment of service members returning from Vietnam.

(7) In 1977, President Jimmy Carter named Max Cleland, then just 34 years old, the youngest ever individual, and first Vietnam veteran, to serve as Administrator of the Veterans Administration. As Administrator, Cleland helped create the "Vet Center" counseling program, which later expanded to 300 facilities nationwide helping veterans and their families receive psychological care for post-traumatic stress disorders and other problems associated with warfare.

(8) Following his term as Administrator of the Veterans Administration, Max Cleland returned to elective office in 1982 when he was elected as Secretary of State of the

State of Georgia. As Secretary of State, Cleland implemented the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) in Georgia and added almost 1,000,000 new voters to the rolls.

(9) Max Cleland was elected to the United States Senate in 1996 and would go on to chair the Subcommittee on Personnel of the Committee on Armed Services of the Senate. In the Senate, Cleland was known for his work in expanding benefits for service members and in improving veterans' health care, education, and the environment.

(10) After his service in the Senate, Max Cleland continued his distinguished career in public service by becoming a commissioner on the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the "9/11 Commission") and later as a member of the Board of Directors of the Export-Import Bank of the United States.

(11) In 2009, President Barack Obama named Max Cleland Secretary of the American Battle Monuments Commission. As Secretary of the Commission, Cleland is charged with commemorating both the permanent cemeteries of the United States located in foreign countries and the military memorials, monuments, and markers demonstrating where members of the United States Armed Forces have served overseas since World War I.

(12) In 2010, President Obama again called on Max Cleland to serve his country and Cleland again accepted. This time, Cleland agreed to serve as co-chair, and eventually the inaugural chair, of the Advisory Committee on Arlington National Cemetery, which was established to help fix the problems facing the final resting place for many of the heroes of the United States. After his tenure as chair, Cleland was awarded the Decoration for Distinguished Civilian Service of the Army, the highest honorary award that the Secretary of the Army can confer on a civilian.

(13) After overcoming some of the most difficult challenges imaginable, Max Cleland has spent almost five decades of his life in service to the United States and the country is forever indebted to his service.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a gold medal of appropriate design to Joseph Maxwell "Max" Cleland.

(b) DESIGN AND STRIKING.—For the purposes of the award described in subsection (a), the Secretary of the Treasury (in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) DUPLICATE MEDALS.—

(1) IN GENERAL.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

(2) SALE OF DUPLICATE MEDALS.—The amounts received from the sale of duplicate medals under paragraph (1) shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 4. STATUS OF MEDALS.

Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 461—COMMENDING THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION, JOHN SOPKO, AND HIS OFFICE FOR THEIR EFFORTS IN PROVIDING ACCOUNTABILITY FOR TAXPAYER DOLLARS SPENT IN AFGHANISTAN

Mr. PAUL submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 461

Whereas the Office of Special Inspector General for Afghanistan Reconstruction (SIGAR) was created in 2008 "to provide independent and objective analysis and supervision of audits and investigations," "to promote economy, efficiency, and effectiveness," and "to prevent and detect waste, fraud, and abuse" with regards to "amounts appropriated or otherwise made available for the reconstruction of Afghanistan";

Whereas the Office of Special Inspector General for Afghanistan Reconstruction has, under the leadership of SIGAR John Sopko, been a strong voice for the good stewardship of taxpayer dollars;

Whereas Special Inspector General Sopko has provided testimony 11 times before Congress;

Whereas the recommendations of SIGAR have resulted in more than \$1,000,000,000 in potential savings;

Whereas one investigation revealed contract bid-rigging and price-fixing that led to the termination of a \$1,000,000,000 Afghan Ministry of Defense fuel contract, resulting in \$214,000,000 in contract savings to the United States Government;

Whereas SIGAR investigations into waste, fraud, and abuse have led to nearly 700 contractors being prohibited from future United States Government contracts;

Whereas SIGAR exposed mismanagement and fraud within the United Nations-administered Law and Order Trust Fund for Afghanistan, which provides billions of dollars in payments to the Afghan National Police;

Whereas SIGAR has further exposed poor attendance and accounting procedures that allow the existence of non-existent Afghan "ghost" soldiers and police, whose salaries are pocketed by corrupt officials;

Whereas SIGAR discovered the expenditure of \$6,000,000 on 9 goats meant to start a cashmere industry in Afghanistan, the whereabouts of which are now unknown;

Whereas SIGAR has attempted to provide accountability to \$210,000,000 spent on the construction of health care facilities in Afghanistan, discovering that nearly 80 percent of facilities have incorrect location data, where 13 facilities were built outside of Afghanistan, including one in the Mediterranean Sea;

Whereas SIGAR also investigated the circumstances that led to the construction of a \$36,000,000 United States military command and control facility at Camp Leatherneck that the commanders on the ground stated they neither wanted nor needed, and which was never occupied;

Whereas SIGAR brought to national attention that the Department of Defense lost \$29,000,000 worth of heavy equipment, such as tractor trucks and cranes, which impeded efforts to constitute an independent Afghan equivalent to the Army Corp of Engineers; and

Whereas SIGAR exposed the Department of Defense had spent \$43,000,000 on a Com-

pressed Natural Gas (CNG) filling station, costing nearly 86 times more than a similar project, and that further almost no vehicles in Afghanistan run on CNG and the cost to convert a vehicle is more than the average annual Afghan salary; Now, therefore, be it

Resolved, That the Senate—

(1) commends the Office of the Special Inspector General for Afghanistan Reconstruction for its ongoing role in identifying and reducing waste, fraud, and abuse; and

(2) urges all inspectors general to look to the Office of the Special Inspector General for Afghan Reconstruction as an example of the vigor and independence with which the Senate expects inspectors general across government to pursue their duty.

SENATE RESOLUTION 462—URGING THE UNITED STATES SOCCER FEDERATION TO IMMEDIATELY ELIMINATE GENDER PAY INEQUITY AND TREAT ALL ATHLETES WITH THE SAME RESPECT AND DIGNITY

Mrs. MURRAY (for herself, Ms. MIKULSKI, Mr. CASEY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. LEAHY, Mrs. BOXER, Ms. WARREN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. BROWN, Mr. MERKLEY, Mr. MENENDEZ, Mr. MARKEY, Ms. HIRONO, Ms. CANTWELL, Mr. REID, and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 462

Whereas title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (referred to in this preamble as "title IX") requires schools and institutions of higher education to provide the same opportunities for girls that the schools and institutions of higher education provide for boys;

Whereas 6 years after the date of enactment of title IX, the approximate percentage of girls playing team sports increased from 4 percent to 25 percent, a sixfold increase;

Whereas the participation of girls in club soccer in the United States increased by approximately 37 percent between 1995 and 2015;

Whereas the participation of girls in high school soccer programs increased by approximately 45 percent between 1999 and 2014;

Whereas the participation of girls in team sports results in lifelong improvements to the educational, work, and health prospects of the girls;

Whereas the United States Soccer Federation is the governing body of soccer in all forms in the United States and endeavors to make soccer a preeminent sport in the United States;

Whereas the United States Women's National Team has won 3 Federation Internationale de Football Association (commonly referred to as "FIFA") Women's World Cups, 4 Olympic Gold Medals, and 7 Confederation of North, Central America, and Caribbean Association Football (commonly referred to as "CONCACAF") Gold Cups;

Whereas the United States Women's National Team is ranked first in the world as of the date of adoption of this resolution;

Whereas the 2015 final Women's World Cup match generated an audience of approximately 750,000,000 viewers worldwide and more than 25,000,000 viewers in the United States, the largest audience of any soccer game shown in the United States on English language television;

Whereas the members of the United States Women's National Team are some of the

most visible athletes in the world and serve as an inspiration and as role models to young athletes across the United States and worldwide;

Whereas the members of the United States Women's National Team, despite the international success of the members, are consistently paid less than similarly situated members of the United States Men's National Team for doing the same job, regardless of the performance of the teams;

Whereas a woman in 1963 was paid on average only 59 cents for each dollar paid to a male counterpart;

Whereas, in 1963, Congress passed and President Kennedy signed the landmark Equal Pay Act of 1963 (29 U.S.C. 201 note; Public Law 88-38) (referred to in this preamble as the "Equal Pay Act"), unequivocally affirming that women deserve equal pay for equal work;

Whereas the enactment of the Equal Pay Act laid the groundwork for title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) and title IX, which together vastly expanded opportunities for girls and women at school and work;

Whereas the pay disparities suffered by the members of the United States Women's National Team are reflective of the reality of many women in the United States who, more than 50 years after the enactment of the Equal Pay Act, still make on average only 79 cents for each dollar made by a male counterpart;

Whereas those pay disparities exist in both the private and the public sectors and, in many instances, the pay disparities can only be due to continued intentional discrimination or the lingering effects of past discrimination;

Whereas unequal pay on the basis of gender tells women and girls that, whether on the soccer field or in the office, the hard work of the women or girls is not valued equally to that of male counterparts;

Whereas unequal pay on the basis of gender violates generally held beliefs regarding equality and fundamental fairness;

Whereas the wage gap equals approximately \$10,762 less per year in median earnings for women and their families compared to men;

Whereas, compared to the earnings of white, non-Hispanic men, women on average face a lifetime wage gap of \$430,480, African-American women on average face a lifetime wage gap of \$877,480, and Latinas on average face a lifetime wage gap of \$1,007,080; and

Whereas unequal pay on the basis of gender threatens the economic security of women and their families while the women are in the workforce and the retirement security of women after the women have left the workforce; Now, therefore, be it

Resolved, That the Senate—

(1) urges the United States Soccer Federation to immediately end gender pay inequity and to treat all athletes with the respect and dignity those athletes deserve;

(2) supports an end to pay discrimination based on gender and the strengthening of equal pay protections; and

(3) instructs the Secretary of the Senate to submit a copy of this resolution to the United States Soccer Federation.

SENATE RESOLUTION 463—HONORING THE MEMORY AND SERVICE OF OMAHA POLICE OFFICER KERRIE OROZCO

Mrs. FISCHER (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 463

Whereas Officer Kerrie Orozco bravely served the Omaha Police Department for 7 years as an officer and detective, working in the gang unit of the Omaha Police Department;

Whereas Officer Orozco was a beloved wife, daughter, sister, and mother;

Whereas Officer Orozco was a devoted public servant who engaged in many volunteer pursuits in Nebraska and Iowa, including youth sports, youth mentoring, and animal rescue;

Whereas, as a parishioner of St. Joseph Church in Omaha, Officer Orozco was committed to her Catholic faith;

Whereas Officer Orozco was killed in the line of duty on May 20, 2015, while serving an arrest warrant on a suspect; and

Whereas Officer Orozco was the first female officer of the Omaha Police Department to be killed in the line of duty: Now, therefore, be it

Resolved, That the Senate honors the memory and service of Omaha Police Officer Kerrie Orozco.

SENATE RESOLUTION 464—COMMEMORATING THE 75TH ANNIVERSARY OF THE ALASKA STATE TROOPERS

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted the following resolution; which was considered and agreed to:

S. RES. 464

Whereas the 15th Alaska Territorial Legislature established the Territory of Alaska Highway Patrol in 1941 for the purpose of enforcing traffic codes in the Territory of Alaska;

Whereas the jurisdiction of the Alaska Highway Patrol was expanded in 1945 in response to the need for a full spectrum police agency in the Territory of Alaska to address crimes outside the jurisdiction of local police departments;

Whereas the Alaska Territorial Legislature created the Alaska Territorial Police in 1953, which became the Alaska State Police on the admission of Alaska to statehood;

Whereas the Alaska State Police was renamed the Alaska State Troopers in 1967;

Whereas, in 1972, Governor of Alaska Bill Egan assigned responsibility and authority for the protection of the fish and wildlife resources of Alaska to the Department of Public Safety, leading to the formation of the Alaska Wildlife Troopers, which is part of the Alaska State Troopers;

Whereas Alaska is $\frac{1}{2}$ the size of the contiguous 48 States, consisting of—

- (1) 586,412 square miles of diverse terrain;
- (2) more than 3,000 rivers;
- (3) approximately 34,000 miles of coastline; and

(4) over 200 communities, many of which are not connected to each other by a road;

Whereas the daily responses to requests for law enforcement assistance presents unique challenges in Alaska seldom experienced in other States;

Whereas through the use of airplanes, boats, snowmachines, helicopters, and all-terrain vehicles, the Alaska State Troopers are able to respond across vast areas of the Alaska wilderness, battling the extremes of climate and terrain, to ensure that each Alaskan receives an answer to a call for help;

Whereas from the urban centers of Anchorage and Fairbanks to the small, isolated villages on the vast river systems in Alaska, the challenges of ensuring an effective law enforcement presence in Alaska are unequaled anywhere in the world;

Whereas the Alaska State Troopers partners with tribal organizations throughout Alaska to sponsor the Village Public Safety Officer program, which provides law enforcement, fire suppression, emergency medical, and search and rescue services to remote Alaska Native villages throughout the State of Alaska;

Whereas the motto of the Alaska State Troopers is "Loyalty, Integrity, Courage, Compassion, Leadership, and Accountability";

Whereas the approximately 390 commissioned officers and 147 civilian personnel of the Alaska State Troopers have met the challenge of policing Alaska through their dedication, professionalism, and innovation; and

Whereas 16 members of the Alaska State Troopers and predecessor agencies of the Alaska State Troopers and 2 Village Public Safety Officers have given their lives in the line of duty: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Alaska State Troopers on its 75th anniversary; and

(2) expresses appreciation to the commissioned officers and civilian personnel of the Alaska State Troopers and to the Village Public Safety Officers, who are the "first responders of the last frontier", and to their families, for their service and sacrifice.

SENATE CONCURRENT RESOLUTION 37—RECOGNIZING THE GEORGE C. MARSHALL MUSEUM AND GEORGE C. MARSHALL RESEARCH LIBRARY IN LEXINGTON, VIRGINIA, AS THE NATIONAL GEORGE C. MARSHALL MUSEUM AND LIBRARY

Mr. KAINE (for himself and Mr. WARNER) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 37

Whereas General George C. Marshall served as Army Chief of Staff during World War II, Special Ambassador to China, Secretary of State, and Secretary of Defense;

Whereas General George C. Marshall was promoted to General of the Army in 1944, one of only five Army five-star generals in the history of the United States;

Whereas General George C. Marshall was awarded the Congressional Gold Medal in 1946 for his military strategy and vital role during World War II;

Whereas General George C. Marshall was awarded the Nobel Peace Prize in 1953 for developing the European economic recovery strategy known as the Marshall Plan;

Whereas the George C. Marshall Foundation was established in 1953 and is devoted to preserving the legacy of General George C. Marshall through educational scholarship programs and facilities;

Whereas the George C. Marshall Foundation opened the George C. Marshall Museum and George C. Marshall Research Library in 1964 in Lexington, Virginia, on the post of the Virginia Military Institute, which is the alma mater of General George C. Marshall;

Whereas the George C. Marshall Museum educates the public about the military and diplomatic contributions of General George C. Marshall through extensive exhibits; and

Whereas the George C. Marshall Research Library maintains the most comprehensive collection of records documenting the life and leadership of General George C. Marshall: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress recognizes the George C. Marshall Museum and George C. Marshall Research Library in Lexington, Virginia, as the National George C. Marshall Museum and Library.

Mr. KAINE. Mr. President, I would like to recognize the George C. Marshall Foundation's museum and library as the National George C. Marshall Museum. General George C. Marshall was born in Uniontown, PA, to a Virginia family. He is a distant relative of Chief Justice John Marshall, the fourth Supreme Court Justice of the United States. General Marshall graduated from the Virginia Military Institute in 1901 as senior first captain of the Corps of Cadets.

General Marshall served in a variety of posts in the Philippines, the United States, France, and China, distinguishing himself as a military leader. In 1939 he was named Chief of Staff by President Roosevelt and was responsible for building, supplying, and deploying over 8 million soldiers. Marshall also urged military readiness prior to the attack on Pearl Harbor.

After World War II, President Truman sent General Marshall to China to broker a coalition government between the Nationalist allies under Generalissimo Chiang Kai-shek and the Communists under Mao Zedong. In 1946, General Marshall received the Congressional Gold Medal of Honor. President Truman appointed Marshall Secretary of State in 1947. In what became known as the Marshall Plan, as Secretary of State Marshall oversaw the post-war European economic recovery strategy. In 1953, General Marshall received the Nobel Peace Prize for his post-war work, the only career officer in the United States Army to ever receive this honor.

The George C. Marshall Foundation was established in 1953 and officially opened in 1964. The Foundation's museum is located in Lexington, VA, and is dedicated to educating the public and the military and diplomatic career of General George C. Marshall. The foundation has devoted its mission to educating the public about the important contributions of General Marshall through its museum and research Library. The Museum has five extensive exhibits and houses General Marshall's Nobel Peace Prize.

I am proud to submit this resolution which will recognize and honor General George C. Marshall.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3896. Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3897. Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for

herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3898. Mr. MCCONNELL (for Mr. NELSON (for himself and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3899. Mr. MCCONNELL (for Mr. CORNYN (for himself, Mr. JOHNSON, and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3900. Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3901. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3902. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3903. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3904. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3905. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3906. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3907. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3908. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3896. Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$116,396,000, of which not to exceed \$2,758,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,772,000 shall be available for the Office of the General Counsel; not to exceed \$11,108,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$16,020,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,569,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$30,054,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,142,000 shall be available for the Office of Public Affairs; not to exceed \$1,760,000 shall be available for the Office of the Executive Secretariat; not to exceed \$11,089,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$17,084,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,044,000, of which \$8,218,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$525,000,000, to remain available through September 30, 2020:

Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than \$5,000,000 and not greater than \$25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses for the establishment and administration of a new National Surface Transportation and Innovative Finance Bureau (the Bureau) within the Office of the Secretary of Transportation, \$3,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall use such amount for the necessary expenses to establish the Bureau and to fulfill the responsibilities of the Bureau, as detailed in section 9001 of the Fixing America's Surface Transportation

(FAST) Act (Public Law 114-94) (49 U.S.C. 116): *Provided further*, That the Secretary is required to receive the advance approval of the House and Senate Committees on Appropriations prior to exercising the authorities of 49 U.S.C. 116(h): *Provided further*, That the program be available to other Federal agencies, States, municipalities and project sponsors seeking Federal transportation expertise in obtaining financing.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$4,000,000, to remain available through September 30, 2018.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, \$15,000,000, to remain available through September 30, 2018.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,751,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$12,043,000: *Provided*, That of such amount, \$3,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,389,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$339,000, as authorized by 49 U.S.C. 332: *Provided*, That

such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, \$602,000.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For the necessary expenses to establish Small and Disadvantaged Business Utilization and Outreach, that will ensure small and disadvantaged business policies of the Secretary of Transportation are developed and implemented in a fair, efficient and effective manner, \$4,646,000, to remain available until September 30, 2018: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$150,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 103. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the

Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

FEDERAL AVIATION ADMINISTRATION
OPERATIONS
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$10,048,352,000 of which \$9,190,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,593,785,000 shall be available for air traffic organization activities; not to exceed \$1,286,982,000 shall be available for aviation safety activities; not to exceed \$19,826,000 shall be available for commercial space transportation activities; not to exceed \$771,342,000 shall be available for finance and management activities; not to exceed \$60,155,000 shall be available for NextGen and operations planning activities; not to exceed \$107,161,000 shall be available for security and hazardous materials safety; and not to exceed \$209,101,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts

for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$159,000,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,838,000,000, of which \$489,000,000 shall remain available until September 30, 2017, and \$2,349,000,000 shall remain available until September 30, 2019: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2018 through 2022, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$176,002,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,750,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2017, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$107,691,000 shall be available for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,375,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

ADMINISTRATIVE PROVISIONS—FEDERAL
AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2017.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not

apply to negotiations between the agency and airport sponsors to achieve agreement on “below-market” rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year shall be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administra-

tion or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119C. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119D. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any application for participation in the Contract Tower Program, pending as of January 1, 2016, including applications from Cost-share Program participants if the Administrator determines such tower is eligible under the criteria set forth in the Federal Aviation report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA-APO-90-7).

SEC. 119E. For fiscal year 2017, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2017 under section 116; and

(2) 10,000 or more passenger boardings during calendar year 2012.

SEC. 119F. Section 47109(c)(2) of title 49, United States Code, is amended to read as follows: “The Government's share of allowable project costs determined under this subsection shall not exceed the lesser of 93.75 percent or the highest percentage Government share applicable to any project in any State under subsection (b), except that at a primary non-hub and non-primary commercial service airport located in a State as set forth in paragraph (1) of this subsection that is within 15 miles of another State as set forth in paragraph (1) of this subsection, the Government's share shall be an average of the Government share applicable to any project in each of the States.”.

SEC. 119G. Section 911 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) is amended by inserting after subsection (b) the following new subsection: “(c) COLLABORATION AND REPORTING.—

“(1) The Administrator, in coordination with NASA, the Department of Energy, U.S. Department of Agriculture, and after consultation with other relevant agencies shall develop a joint plan to carry out the research under subsection (a) and report back to Congress within 180 days.

“(2) The Administrator, in coordination with the Administrator of NASA, the Secretary of Energy, and the Secretary of Agriculture, shall continue research and development activities into the development and deployment of jet fuels as outlined in subsection (a).”.

SEC. 119H. Section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(6) INCLUSION OF CERTAIN FLIGHT TEST FACILITIES.—The Administrator shall expand the program established under paragraph (1) to permit projects under the program to be carried out at any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.”.

SEC. 119I. Notwithstanding Section 40117(b)(1) of title 49, United States Code, the Secretary of Transportation may authorize use of a passenger facility charge to finance an eligible airport-related project if the eligible agency seeking to impose the new

charge controls an airport where a \$2 passenger facility charge became effective on January 1, 2013; and the airport where the passenger facility charge is collected and the airport at which the project will be carried out were under the control of the same eligible agency on October 1, 2015.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$433,295,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed \$2,500,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of \$43,266,100,000 for fiscal year 2017: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, \$44,005,100,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)
(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of \$2,211,000,000 is hereby rescinded: *Provided*, That such rescission shall not apply to funds distributed in accordance with sections 104(b)(3) and 130(f) of title 23, United States Code; section 133(d)(1)(A) of such title; the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141); sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA-LU (Public Law 109-59); and section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141): *Provided further*, That such rescission shall not apply to funds that are exempt from the obligation limitation or subject to special no-year obligation limitation: *Provided further*, That the amount to be rescinded from a State shall be determined by multiplying the total amount of the rescission by the ratio that the unobligated balances subject to the rescission as of

September 30, 2016, for the State; bears to the unobligated balances subject to the rescission as of September 30, 2016, for all States: *Provided further*, That the amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the rescission amount calculated for such State by the ratio that the unobligated balance as of September 30, 2016, for such program in such State; bears to the unobligated balances as of September 30, 2016, for all programs to which the rescission applies in such State.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2017, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2017, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may, hereafter, use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally

designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term “earmarked amount” means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall—

(1) for fiscal year 2017, submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations; and

(2) for fiscal year 2018 and thereafter, post such information annually on the Department's public Web site.

SEC. 125. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 126. (a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following: “(89) United State Route 67 from Interstate 40 in North Little Rock, Arkansas, to United States Route 412.”

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by striking “and subsection (c)(83)” and inserting “subsection (c)(83), and subsection (c)(89)”.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following:

“The route referred to in subsection (c)(89) is designated as Interstate Route I-57”.

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION
MOTOR CARRIER SAFETY OPERATIONS AND
PROGRAMS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$277,200,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$277,200,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2017, of which \$9,180,000, to remain available for obligation until September 30, 2019, is for the research and technology program.

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, \$367,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$367,000,000 in fiscal year 2017 for “Motor Carrier Safety Grants”; of which \$292,600,000 shall be available for the motor carrier safety assistance program, \$31,200,000 shall be available for the commercial driver's license program implementation program, \$42,200,000 shall be available for the high priority activities program, and \$1,000,000 shall be available for the commercial motor vehicle operator grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107-87 and section 6901 of Public Law 110-28.

SEC. 131. Section 133 of division L, title I of the Consolidated Appropriations Act, 2016, Public Law 114-113, is amended to read as follows:

“(a) None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, administer, or enforce the requirement for two off-duty periods from 1:00 a.m. to 5:00 a.m. under subsection 395.3(c) or the restriction on use of more than one restart during a 168-hour period under subsection 395.3(d) of title 49, Code of Federal Regulations, and such provisions shall have no force or effect as of the date of submission of the final report issued by the Secretary of Transportation, as required by section 133 of division K of Public Law 113-235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report—

“(1) meets the statutory requirements set forth in such section; and

“(2) establishes that commercial motor vehicle drivers who operated under the restart

provisions in operational effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in operational effect on June 30, 2013.

“(b) If the Secretary and Inspector General do not each make the determination required by subsection (a), the 34-hour restart rule in operational effect on June 30, 2013, shall be restored to full force and effect on the date the Secretary submits the final report to the House and Senate Committees on Appropriations, and funds appropriated or otherwise made available by this Act or any other Act shall be available to implement, administer, or enforce such rule.

“(c) If the 34-hour restart rule in operational effect on June 30, 2013, is restored to full force and effect pursuant to subsection (b), a driver who uses that restart rule may not drive after being on duty more than 73 hours in any period of 7 consecutive days, where the 7-day measurement period moves forward 1 day at midnight each day.”.

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$160,075,000, of which \$20,000,000 shall remain available through September 30, 2018.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$145,900,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2017, are in excess of \$145,900,000, of which \$140,700,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,200,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the \$145,900,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2018, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, \$585,372,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2017, are in excess of \$585,372,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which \$252,300,000 shall be for “Highway Safety Programs” under 23 U.S.C.

402; \$277,500,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; \$29,500,000 shall be for “High Visibility Enforcement Program” under 23 U.S.C. 404; \$26,072,000 shall be for “Administrative Expenses” under section 4001(a)(6) of the Fixing America’s Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$208,500,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$40,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants as authorized by section 24407 of title 49, United States Code, \$50,000,000, to remain available until expended, of which \$25,000,000 shall be available to carry out section 24407 (c)(1) of title 49, United States Code; and \$25,000,000 shall be available to carry out section 24407 (c)(5), (c)(6), (c)(7), and (c)(10) of title 49, United States Code: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of project management oversight of grants carried out under section 24407 of title

49, United States Code: *Provided further*, That such funds shall only be used for grants related to railroad safety.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR GRANTS

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, \$20,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of project management oversight of grants carried out under section 24911 of title 49, United States Code.

RESTORATION AND ENHANCEMENT GRANTS

For necessary expenses related to grants, \$15,000,000, to remain available until expended, of which \$5,000,000 shall be available to carry out section 24408 of title 49, United States Code; and \$10,000,000 shall be available for capital grants for the restoration or initiation of intercity passenger service in an amount not to exceed 50 percent of the total project cost: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of project management and oversight.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114-94), \$345,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the National Network Grants to the National Railroad Passenger Corporation heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114-94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114-94, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the National Network Grants to the National Railroad Passenger Corporation heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114-94), \$1,075,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional \$2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under 24712 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may

waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter within 60 days of such quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by May 15, 2017, a summary of all overtime payments incurred by the Corporation for 2016 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2016 and for the three prior calendar years.

SEC. 151. Section 24408 of title 49, United States Code, is amended by—

- (1) Striking the words “or enhancing” in subsection (b) and inserting in its place the words “enhancing, or supporting”;
- (2) Striking subparagraph (c)(3)(C);
- (3) Striking paragraph (d)(5); and
- (4) Striking subsection (e) and replacing with a new subsection (e) that states “Grants made under this section may not exceed 80 percent of the projected net operating costs.”.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration’s programs authorized by chapter 53 of title 49, United States Code, \$110,665,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2018 President’s budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2018.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5313, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America’s Surface Transportation Act, \$10,800,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America’s Surface Transportation Act, and section 20005(b) of Public Law 112-141, and sections 3006(b) and 3028 of the Fixing America’s Surface Transportation Act, shall not exceed total obligations of \$9,733,706,043 in fiscal year 2017: *Provided further*, That the Federal share of the cost of activities carried out under section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309 and section 3005(b) of the FAST

Act, \$2,338,063,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN
AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL
TRANSIT ADMINISTRATION
(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2021, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2016, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting "and 25 square miles of land area" after "145,000"; and

(2) by inserting "and 12 square miles of land area" after "65,000".

SEC. 164. Any unobligated amounts made available for fiscal year 2012 or prior fiscal years to carry out the discretionary job access and reverse commute program under section 3037 of the transportation equity act for the 21st century are hereby rescinded: *Provided*, That such amounts are made available for projects eligible under 49 U.S.C. 5309(q).

SEC. 165. Section 5307(a) of title 49, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

"(2) SPECIAL RULE.—The Secretary may make grants under this section to finance

the operating cost of equipment and facilities for use in public transportation, excluding rail fixed guideway, in an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census—

"(A) for public transportation systems that—

"(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

"(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or

"(B) subject to paragraph (3), for public transportation systems that—

"(i) operate 75 or fewer buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b); or

"(ii) operate a minimum of 76 buses and a maximum of 100 buses in fixed route service or demand response service, excluding ADA complementary paratransit service during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b).

"(3) LIMITATION.—The amount available to a public transportation system under subparagraph (B) of paragraph (2) shall be not more than 10 percent greater than the amount that would otherwise be available to the system under subparagraph (A) of that paragraph."

SAINT LAWRENCE SEAWAY DEVELOPMENT
CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$36,028,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION
MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$275,000,000, to remain available until expended: *Provided*, That the Maritime Ad-

ministration may make a reduction in payment pro rata in the event sufficient funds have not been appropriated to pay the full annual payment authorized for the Maritime Security Fleet pursuant to section 53106 of title 46: *Provided further*, That the Maritime Administration shall allocate the funds across 60 ships.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$175,160,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$6,000,000 shall remain available until expended for National Security Multi-Mission Vessel Program for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2018, for the Student Incentive Program at State Maritime Academies, and of which \$1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$3,000,000 shall remain available through September 30, 2018, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreement, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 sections 55601(b)(1) and 55601(b)(3): *Provided further*, That not later than January 12, 2017, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$10,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$20,000,000, to remain available until expended, of which \$8,000,000 shall be for the decommissioning of the Nuclear Ship *Savannah*.

MARITIME GUARANTEED LOAN (TITLE XI)
PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$5,000,000, of which \$2,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed \$3,000,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations

for “Operations and Training”, Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$23,207,000: *Provided*, That no later than June 30, 2016, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than December 18, 2016: *Provided further*, That \$1,500,000 shall be transferred to “Pipeline Safety” in order to fund “Pipeline Safety Information Grants to Communities” as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$57,619,000, of which \$7,570,000 shall remain available until September 30, 2019: *Provided*, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY (PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$149,959,000, of which \$20,288,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2019; and of which \$129,671,000 shall be derived from the Pipeline Safety Fund, of which \$59,835,000 shall remain available until September 30, 2018: *Provided*, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS (EMERGENCY PREPAREDNESS FUND)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2017 from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of

the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$93,550,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term “improper payments” has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable

agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, except for such preferences authorized in this Act, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the “Department of Transportation Appropriations Act, 2017”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, the Departmental Enforcement Center, and the Center for Faith-Based and Neighborhood Partnerships, \$30,608,000: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$503,852,000, of which \$53,451,000 shall be available for the Office of the Chief Financial Officer; \$79,053,000 shall be available for the Office of the General Counsel; \$202,823,000 shall be available for the Office of Administration; \$41,641,000 shall be available for the Office of the Chief Human Capital Officer; \$52,568,000 shall be available for the Office of Field Policy and Management; \$19,130,000 shall be available for the Office of the Chief Procurement Officer; \$3,891,000 shall be available for the Office of Departmental Equal Employment Opportunity; \$5,147,000 shall be available for the Office of Strategic Planning and Management; and \$46,148,000 shall be available for the Office of the Chief Information Officer:

Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$220,500,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, \$110,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, \$393,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$24,500,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$74,235,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$8,075,000.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency’s printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Office Salaries and Expenses”, and “Government National Mortgage Association”, the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional \$10,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for use for any office or agency: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the first proviso: *Pro-*

vided further, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, \$16,431,696,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2016), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2017: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$18,355,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2017 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2017: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies’ calendar year 2017 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2016 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating

in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2017 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$110,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist;

(3) \$1,768,696,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies

that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$1,758,696,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2017 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$110,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$7,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD-VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to the recipients that received assistance under the rental assistance and supportive housing demonstration program for Native American veterans authorized under the heading "Tenant-Based Rental Assistance" in title II of division K of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235, 128 Stat. 2733): *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients under the demonstration program: *Provided further*, That any amounts remaining after such renewal assistance is awarded may be available for new grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. section 4101 et seq.) for rental assistance and associated administrative fees for Tribal HUD-VA Supportive Housing to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided fur-*

ther, That funds shall be awarded based on need and administrative capacity established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs: *Provided further*, That renewal grants and new grants under this paragraph shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That assistance under this paragraph shall be modeled after, with necessary and appropriate adjustments for Native American grant recipients and veterans, the rental assistance and supportive housing program known as HUD-VASH program, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the United States Housing Act of 1937: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor stands, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary;

(6) \$50,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) \$20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency

administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program;

(8) \$11,000,000 shall be made available for the housing choice voucher mobility demonstration authorized under section 243 of this title; and

(9) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2017 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the “Act”) \$1,925,000,000, to remain available until September 30, 2020: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2017, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to \$10,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed \$21,500,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.)

occurring in fiscal year 2017: *Provided further*, That of the amount made available under the previous proviso, not less than \$5,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2018, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2017 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, \$25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for

purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2017 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,675,000,000, to remain available until September 30, 2018.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$80,000,000, to remain available until September 30, 2019: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than \$48,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That no more than \$5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading “Revitalization of Severely Distressed Public Housing (HOPE VI)” in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That implementation grants awarded under this heading may only be awarded to grantees that have previously been awarded planning grants.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2018: *Provided*, That the Secretary

may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related technical assistance, \$714,000,000, to remain available until September 30, 2021: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$646,500,000 shall be available for the Indian Housing Block Grant program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding section 302(d) of NAHASDA, if on January 1, 2017, a recipient's total amount of undisbursed block grant funds in the Department's line of credit control system is greater than three times the formula allocation it would otherwise receive under the first proviso under this paragraph, the Secretary shall adjust that recipient's formula allocation down by the difference between its total amount of undisbursed block grant funds in the Department's line of credit control system on January 1, 2017, and three times the formula allocation it would otherwise receive: *Provided further*, That notwithstanding the previous two provisos, no Indian tribe shall receive an allocation amount greater than 10 percent of the total amount made available under this paragraph: *Provided further*, That grant amounts not allocated to a recipient pursuant to the previous two provisos shall be allocated under the need component of the formula proportionately among all other Indian tribes not subject to an adjustment under such provisos: *Provided further*, That the second and third provisos shall not apply to any Indian tribe that would otherwise receive a formula allocation of less than \$8,000,000: *Provided further*, That to take effect, the four previous provisos do not require issuance or amendment of any regulation, and shall not be construed to confer hearing rights under any section of NAHASDA or its implementing regulations: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, in-

cluding the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,857,142 to remain available until September 30, 2021;

(3) \$60,000,000 shall be for grants to Indian tribes for carrying out the Community Development Block Grant program as authorized under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration; and

(4) \$5,500,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance needs in Indian country related to funding provided under this heading.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,341,463,415, to remain available until expended: *Provided further*, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program: *Provided further*, That an additional \$1,000,000 shall be available until expended for such costs of guaranteed loans authorized under such section 184 issued to tribes and Indian housing authorities for the construction of rental housing for law enforcement, healthcare, educational, technical and other skilled workers: *Provided further*, That the funds specified in the previous proviso are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$243,902,439 to remain available until expended: *Provided further*, That the Secretary may specify any additional program requirements with respect to the previous two provisos through publication of a Mortgagee Letter or Notice.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), \$5,000,000, to remain available until September 30, 2021.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$335,000,000, to remain available until September 30, 2018, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2019: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made avail-

able under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That notwithstanding section 854(c)(1) of such Act or any implementing regulation, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV) or AIDS, and States with more than 2,000 persons living with HIV or AIDS outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among such eligible States and cities that are the most populous unit of general local government in a metropolitan statistical area based on fair market rents and area poverty indexes, as determined by the Secretary: *Provided further*, That a grantee's share shall not reflect a loss greater than 5 percent or a gain greater than 10 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: *Provided further*, That any grantee that received a formula allocation in fiscal year 2016 shall continue to be eligible for formula allocation in this fiscal year: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$3,000,000,000, to remain available until September 30, 2019, unless otherwise specified: *Provided*, That of the total amount provided, \$3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended ("the Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2017, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on

outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$950,000,000, to remain available until September 30, 2020: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisions 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the “Full-Year Continuing Appropriations Act, 2013”, shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled “Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards” which became effective on such date: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2019: *Provided*, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional \$4,000,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled or low-income veterans as authorized under section 1079 of Public Law 113-291.

HOMELESS ASSISTANCE GRANTS

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, \$2,330,000,000, to remain available until September 30, 2019: *Provided*, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: *Provided fur-*

ther, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: *Provided further*, That not less than \$2,013,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: *Provided further*, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the continuum of care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for continuum of care renewals in fiscal year 2017: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the emergency solutions grant program within 60 days of enactment of this Act: *Provided further*, That up to \$40,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 11 communities, including at least five rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

RENTAL ASSISTANCE DEMONSTRATION

For continuing activities under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law

112-55), \$4,000,000, to remain available until September 30, 2020: *Provided*, That such funds shall only be available to properties converting from assistance under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)).

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”), not otherwise provided for, \$10,501,000,000, to remain available until expended, shall be available on October 1, 2016 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2016), and \$400,000,000, to remain available until expended, shall be available on October 1, 2017: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed \$235,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading “Annual Contributions for Assisted Housing”, or the heading “Housing Certificate Fund”, may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until

expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$505,000,000 to remain available until September 30, 2020: *Provided*, That of the amount provided under this heading, up to \$75,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$154,000,000, to remain available until September 30, 2020: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Sec-

retary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2020: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2018, including up to \$4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$20,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,500,000, to remain available until expended, of which \$10,500,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2017 so as to result in a final fiscal year

2017 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2017 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2018: *Provided*, That during fiscal year 2017, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2018.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2018: *Provided*, That during fiscal year 2017, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(1), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2018: *Provided*, That \$23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2017, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, \$90,000,000, to remain available until September 30, 2018: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2018: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$135,000,000, to remain available until September 30, 2018, of which \$20,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poi-

soning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, \$55,000,000 shall be made available on a competitive basis for areas with the highest lead-based paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$273,000,000, of which \$250,000,000 shall remain available until September 30, 2018, and of which \$23,000,000 shall remain available until September 30, 2019: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$129,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
(INCLUDING TRANSFER OF FUNDS)
(INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2017 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and (2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use

amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2017 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2017 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area's amount that is based on the number of persons living with HIV or AIDS, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by

section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2017 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2018, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2017 and 2018, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms "low-income" and "very low-income" shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term "multifamily housing project" means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term “project-based assistance” means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term “receiving project or projects” means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term “transferring project” means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition

and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 214. The funds made available for Native Alaskans under the heading “Indian Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2017, insure and enter into commitments to insure mortgages under such section 255.

SEC. 216. Notwithstanding any other provision of law, in fiscal year 2017, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 217. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 218. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset man-

agement requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 221. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2017 and hereafter, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2017 and hereafter, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 222. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 223. The Secretary is authorized to transfer up to 10 percent or \$4,000,000, whichever is less, of funds appropriated for any office under the heading “Administrative Support Offices” or for any account under the general heading “Program Office Salaries and Expenses” to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or \$4,000,000, whichever is less, without prior written approval of the House and Senate

Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or \$4,000,000, whichever is less.

SEC. 224. For fiscal year 2017 and hereafter the Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a “program of the Department of Housing and Urban Development” under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 225. (a) The Secretary shall take action under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance: (1) receives a Uniform Physical Condition Standards (UPCS) score of 30 or less;

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected; or

(3) receives a UPCS score between 31 and 59 and has received consecutive scores of less than 60 on UPCS inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) CORRECTIONS OF DEFICIENCIES.—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an in-

fusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(d) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 226. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2017.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking “fiscal year” and all that follows through the period at the end and inserting “fiscal year 2017.”; and

(2) in subsection (o), by striking “September” and all that follows through the period at the end and inserting “September 30, 2017.”.

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2017, including suspension from work.

SEC. 235. Funds made available in this title under the heading “Homeless Assistance Grants” may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2017: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 236. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015, 2016, and 2017 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipients CoC program.

SEC. 237. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs of the Office of Community Planning and Development associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs

for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: *Provided*, That the amounts transferred pursuant to this section that were previously designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 238. (a) Section 302 of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4822) is amended in subsection (e)—

(1) in paragraph (1)—

(i) by striking “handicapped” and inserting “persons with disabilities, or any 0-bedroom dwelling”;

(ii) by inserting “or” after “expected to reside”;

(iii) by striking “less than 7 years of age” and inserting “under age 6”;

(2) in paragraph (2) by striking “; or” and inserting “;”;

(3) by striking paragraph (3).

(b) Section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is amended in paragraph (27)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities.”;

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing”.

(c) Section 401 of the Toxic Substances Control Act (15 U.S.C. 2681) is amended in paragraph (17)—

(1) by inserting “or any 0-bedroom dwelling” after “disabilities.”;

(2) by deleting “housing for the elderly or persons with disabilities) or any 0 bedroom dwelling” and inserting “housing”.

SEC. 239. (a) CAPITAL FUND REPLACEMENT RESERVES.—Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended—

(1) in subsection (j), by adding at the end the following new paragraph:

“(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established pursuant to subsection (n).”;

(2) by adding at the end the following new subsection:

“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public housing agencies shall be permitted to establish a replacement reserve to fund any of the capital activities listed in subsection (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing agency may deposit funds from such agency’s Capital Fund into a replacement reserve, subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a replacement reserve funds originating from additional sources.

“(B) No minimum transfer of funds to a replacement reserve shall be required.

“(C) At any time, a public housing agency may not hold in a replacement reserve more than the amount the public housing author-

ity has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under this section, as outlined in its Capital Fund 5-Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish, by regulation, a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under this section or other factors.

“(3) TRANSFER OF OPERATING FUNDS.—In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

“(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes authorized by subsection (d)(1) and contained in its Capital Fund 5-Year Action Plan.

“(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.”.

(b) FLEXIBILITY OF OPERATING FUND AMOUNTS.—Paragraph (1) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g)(1) is amended—

(1) by striking “(1)” and all that follows through “Of” and inserting the following:

“(1) FLEXIBILITY IN USE OF FUNDS.—

“(A) FLEXIBILITY FOR CAPITAL FUND AMOUNTS.—Of”;

(2) by adding at the end the following new subparagraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2017 or any fiscal year thereafter that are allocated for fiscal year 2017 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan under section 5A for the agency provides for such use.”.

SEC. 240. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) is amended by striking “(B)” and all that follows up to the period and inserting the following:

“(B)(i) for a period not to exceed 36 months, otherwise eligible youths who have attained at least 18 years of age and not more than 24 years of age and who, at age 16 or older, have left or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless, or (ii) except that an applicant may extend the 36-month period, if the applicant enrolls an eligible youth in a program authorized under section 23, in accordance with the length of the contract of participation for that eligible youth under section 23(c)(3)”.

SEC. 241. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incentivize public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as “the Act”), to implement measures to reduce their energy and water consumption.

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating

funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency’s rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) FIRST YEAR UTILITY COST SAVINGS.—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency’s actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) USE OF UTILITY COST SAVINGS.—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) DURATION OF PLAN.—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) OTHER REQUIREMENTS.—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) TERMINATION.—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 242. Section 211 of the Department of Housing and Urban Development Appropriations Act, 2008, is repealed.

SEC. 243. (a) AUTHORITY.—To encourage families to move to lower-poverty areas and expand access to opportunity areas, the Secretary of Housing and Urban Development (hereafter referred to as “Secretary”) may implement a mobility demonstration to administer Housing Choice Voucher assistance under section 8(o) of the United States Housing Act of 1937 (hereafter referred to as “1937 Act”) (42 U.S.C. 1437f(o)) for fiscal year 2017 through fiscal year 2021.

(b) DEMONSTRATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary must establish the competitive selection criteria and requirements for participation in the demonstration. The Secretary may require participating PHAs to use a randomized selection process among the families eligible to receive mobility assistance under this demonstration.

(2) REGIONAL HOUSING MOBILITY PLAN.—Applicant PHAs must submit a Regional Housing Mobility Plan (hereafter referred to as “the Plan”).

(A) The Plan must meet all requirements established by the Secretary and must identify—

(i) the PHAs that will participate in the regional housing mobility program and the number of vouchers each participating PHA will make available out of its existing programs in support of the mobility demonstration;

(ii) any community-based organizations, nonprofit organizations, businesses, and other entities that commit to participate;

(iii) any waivers or alternative requirements requested for the execution of the Plan; and

(iv) specific actions that the PHAs and other entities will undertake to accomplish the goals of the demonstration, which must include a comprehensive approach to enable a successful transition to opportunity areas and may include counseling and continued support for families.

(B) The Plan may also establish preferences for participating families, including a preference for families with children, based on regional housing needs and priorities.

(C) The Plan may provide for the use of exception payment standards that do not exceed 110 percent of the HUD-published small area Fair Market Rent for the covered exception payment standard area.

(D) Units contributed by a PHA participating in a regional housing mobility program to a pool of vouchers that will be project-based within the jurisdiction of that program are exempt from the percentage limitation in section 8(o)(13)(B) of the 1937 Act.

(C) FUNDING FOR MOBILITY-RELATED SERVICES.—In order to provide mobility-related services, PHAs participating in this demonstration may use administrative fees under section 8(q) of the 1937 Act (42 U.S.C. 1437f(q)), their administrative fee reserves, and funding from private entities. Mobility-related services may include but are not limited to such things as counseling, portability coordination, landlord outreach, and administrative activities associated with establishing and operating a regional housing mobility program.

(d) WAIVERS OR ALTERNATIVE REQUIREMENTS.—

(1) In order to allow for PHAs to implement and administer their Plans, the Secretary may waive or specify alternative requirements for the following provisions of the 1937 Act:

(A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i) (related to the term of a family's assisted lease and associated mobility requirements).

(B) Section 8(o)(13)(C)(i) (related to the ability of a PHA participating in a regional housing mobility program to administer assistance contributed to the program consistent with the Plan identified in paragraph (2)).

(C) Section 8(o)(13)(F) (related to the term of a housing assistance payments (HAP) contract).

(D) Section 8(r)(2) (related to the ability of a PHA participating in a regional housing mobility program to administer assistance under section 8(o) anywhere within the jurisdiction of that program).

(E) Section 8(x)(2) (related to the length of time a PHA may provide assistance under section 8(o) to youth participating in the Family Unification Program (FUP)).

(2) The Secretary must publish by notice in the Federal Register any waivers or alternative requirements for statutory provisions no later than 10 days before the effective date of such notice.

(e) IMPLEMENTATION BY NOTICE.—The Secretary may implement the demonstration, including its terms, procedures, requirements, and conditions, by notice.

(f) EVALUATION.—No later than five years following implementation of the regional housing mobility programs, the Secretary

must publish an evaluation of the effectiveness of the demonstration, subject to the availability of funding to conduct the evaluation.

SEC. 244. The language under the heading Rental Assistance Demonstration in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), is amended—

(1) in the undesignated paragraph before the first proviso, by inserting the following before the colon: “(‘First Component’ herein)”;

(2) in the second proviso, by striking “until September 30, 2018” and inserting “for fiscal year 2012 and thereafter”;

(3) in the fourth proviso, by striking “185,000” and inserting “250,000”;

(4) in the fourteenth, by—

(A) inserting “or nonprofit” before “entity, then a capable entity,”; and

(B) striking “preserves its interest” and inserting “or a nonprofit entity preserves an interest”;

(5) by amending the eighteenth proviso to read as follows—

“*Provided further*, That for fiscal year 2012 and hereafter, owners of properties assisted or previously assisted under section 101 of the Housing and Urban Development Act of 1965, section 236(f)(2) of the National Housing Act, or section 8(e)(2) of the United States Housing Act of 1937, for which a contract expires or terminates due to prepayment on or after October 1, 2006 has caused or results in the termination of rental assistance or affordability restrictions or both and the issuance of tenant protection vouchers under section 8(o) or section 8(t) of the Act, or with a project rental assistance contract under section 202(c)(2) of Housing Act of 1959, shall be eligible, subject to requirements established by the Secretary, including but not limited to tenant consultation procedures, for conversion of assistance available or provided for such vouchers or assistance contracts, to assistance under a long-term project-based subsidy contract under section 8 of the Act, which shall have a term of no less than 20 years, which shall have initial rents set at comparable market rents for the market area, with subsequent rent adjustments only by an operating cost factor established by the Secretary, and which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), or, subject to agreement of the administering public housing agency, to assistance under section 8(o)(13) of the Act, to which the limitation under subparagraph (B) of section 8(o)(13) of the Act shall not apply and for which the Secretary may waive or alter the provisions of subparagraphs (C) and (D) of section 8(o)(13) of the Act (“Second Component” herein);”;

(6) by inserting the following proviso before the nineteenth: “*Provided further*, That conversions of assistance under the Second Component may not be the basis for re-screening or termination of assistance or eviction of any tenant family in a property participating in the demonstration.”;

(7) in the twentieth, as amended (reordered) above, by striking “previous proviso” and all that follows through the end of the proviso and inserting “Second Component, except for conversion of Section 202 project rental assistance contracts, shall be available for project-based subsidy contracts entered into pursuant to the Second Component.”;

(8) in the twenty-first proviso, as amended (reordered) above, by striking “previous two provisos” and inserting “Second Component, except for conversion of section 202 project rental assistance contracts.”;

(9) in the twenty-second proviso, as amended (reordered) above, by striking “three previous provisos” and inserting “Second Component, except for conversion of section 202 project rental assistance contracts.”;

(10) by inserting the following proviso before the twenty-third proviso, as amended (reordered) above: “*Provided further*, That the Secretary may transfer amounts made available under the heading ‘Housing for the Elderly’ to the accounts under the headings ‘Project-Based Rental Assistance’ or ‘Tenant-Based Rental Assistance’ to facilitate any Section 202 project rental assistance contract conversions under the Second Component, and any increase in cost for ‘Project-Based Rental Assistance’ or ‘Tenant-Based Rental Assistance’ associated with such conversion shall be equal to amounts so transferred.”; and

(11) in the twenty-fourth proviso, as amended (reordered) above, by striking “previous four provisos” and inserting “Second Component, as applicable.”.

SEC. 245. The Secretary shall establish by notice such requirements as may be necessary to implement section 78001 of title LXXVIII of the Fixing America’s Surface Transportation Act (Public Law 114–94), and the notice shall take effect upon issuance: *Provided*, That the Secretary shall commence rulemaking based on the initial notice no later than the expiration of the 6-month period following issuance of the notice and the rulemaking shall allow for the opportunity for public comment.

SEC. 246. For fiscal year 2017 and hereafter, the Secretary of Housing and Urban Development may use amounts made available for the continuum of care program under the “Homeless Assistance Grants” heading under this title to renew the grant originally awarded under the heading “Department of Housing and Urban Development—Permanent Supportive Housing” in chapter 6 of title III of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2351) in the continuum of care program, authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.). Notwithstanding any provision of law, for purposes of grant application and renewal, the State of Louisiana may continue to permit a program participant to receive or retain tenant-based rental assistance outside the continuum of care’s geographic area, and the funding of such assistance shall not be considered operation of a continuum of care in more than one geographic area.

SEC. 247. Section 428 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11386b) is amended by adding at the end of the section, subsection (f) to read as follows:

“(f) TRANSITION FOR REALLOCATED GRANT.—

“(1) From amounts under this subtitle made available to carry out subtitle B and this subtitle, the Secretary may award one-year transition grants to recipients to transition from one Continuum of Care program component to another.

“(2) In order to be eligible to receive a transition grant, the project must have the consent of the Continuum of Care, and meet standards determined by the Secretary.”.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2017”.

TITLE III RELATED AGENCIES ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended,

\$8,190,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$27,490,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION
OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2018, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2018 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD
SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$106,000,000, of which not to exceed \$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD
REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$135,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS
OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,600,000: *Provided*, That title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking "October 1, 2017" in section 209 and inserting "October 1, 2018" and in section 204(a) by striking "level V" and inserting "level IV".

SURFACE TRANSPORTATION BOARD
SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$37,000,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced by a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2017, to result in a final appropriation from the general fund estimated at no more than \$35,750,000.

TITLE IV
GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in the Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice 915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2017, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2017 from appropriations made available for salaries and expenses for fiscal year 2017 in this Act, shall remain available through September 30, 2018, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects

which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301-8305, popularly known as the "Buy American Act").

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301-8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301-10.122 and 301-10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*,

That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency under this Act to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

This Act may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2017".

DIVISION B—MILITARY CONSTRUCTION, THE DEPARTMENT OF VETERANS AFFAIRS, AND RELATED AGENCIES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$532,359,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,087,572,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,579,798,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,038,980,000, to remain available until September 30, 2021: *Provided*, That such amounts of this appropriation as may

be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$232,930,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$143,957,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$68,230,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$38,597,000, to remain available until September 30, 2021.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$188,950,000, to remain available until September 30, 2021.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$177,932,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$205,237,000, to remain available until expended.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$325,995,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$300,915,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$274,429,000.

FAMILY HOUSING OPERATION AND
MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$59,157,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING
IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$3,258,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$200,735,000, to remain available until September 30, 2021.

FAMILY HOUSING CONSTRUCTION, NAVY AND
MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$94,011,000, to remain available until September 30, 2021.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$61,352,000, to remain available until September 30, 2021.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of

land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being com-

pleted with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be

submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency Fluctuations, Construction, Defense”, to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 123. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 124. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2021:

“Military Construction, Army”, \$40,500,000;
 “Military Construction, Navy and Marine Corps”, \$143,000,000;
 “Military Construction, Air Force”, \$195,465,000;
 “Military Construction, Defense-Wide”, \$64,364,000;
 “Military Construction, Army National Guard”, \$16,500,000;
 “Military Construction, Air National Guard”, \$11,000,000;
 “Military Construction, Army Reserve”, \$30,000,000;
 “Family Housing Construction, Army”, \$14,400,000;

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2017 submitted to Congress: *Provided further*, That such funds are subject to authorization

prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

“Military Construction, Army”, \$30,000,000;
 “Military Construction, Air Force”, \$22,340,000;
 “Military Construction, Defense-Wide”, \$132,283,000; and
 “North Atlantic Treaty Organization Security Investment Program”, \$15,000,000;

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 127. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (“the Committees”) a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term “United States” in this section does not include any territory or possession of the United States.

SEC. 128. None of the funds made available by this Act may be used to carry out the closure or transfer of the United States Naval Station, Guantánamo Bay, Cuba.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$90,119,449,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That not to exceed \$17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Adminis-

tration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$13,708,648,000, to remain available until expended and to become available on October 1, 2017: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$124,504,000, to remain available until expended, of which \$107,899,000 shall become available on October 1, 2017.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2017, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$198,856,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$36,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,517,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$389,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,163,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas

employee mail, \$2,856,160,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2018.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,078,993,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, \$44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$1,400,000,000 shall remain available until September 30, 2019: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$7,246,181,000, plus reimbursements, of which \$2,000,000,000 shall remain available until September 30, 2020; and, in addition, \$9,409,118,000 shall become available on October 1, 2017, and shall remain

available until September 30, 2018: *Provided*, That of the amount made available on October 1, 2017, \$1,500,000,000 shall remain available until September 30, 2021.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$100,000,000 shall remain available until September 30, 2019.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$495,100,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2016; and, in addition, \$5,434,880,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: *Provided*, That, of the amount made available on October 1, 2017, under this heading, \$250,000,000 shall remain available until September 30, 2019.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$675,366,000, plus reimbursements, shall remain available until September 30, 2018: *Provided*, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemetery expenses as authorized by law; purchase of one passenger motor vehicle for use in cemetery operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$286,193,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide cap-

ital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$417,959,000, of which not to exceed 5 percent shall remain available until September 30, 2018: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2018: *Provided*, That up to \$2,500,000 may be available to facilitate the furnishing of legal and other assistance, without charge, to veterans and other individuals who are unable to afford the cost of legal representation in connection with a decision by the Board of Veterans Appeals under chapter 71 of title 38, United States Code, in accordance with the process and reporting procedures set forth in Public Law 102-229 under the heading "Salaries and Expenses" under the heading "Court of Veterans Appeals": *Provided further*, That the Board of Veterans Appeals submits to the Committees on Appropriations of both Houses of Congress a certification that there is a substantial unmet need for pro bono representation before the Board of Veterans Appeals prior to expending funds for this purpose.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,278,259,000, plus reimbursements: *Provided*, That \$1,272,548,000 shall be for pay and associated costs, of which not to exceed \$37,100,000 shall remain available until September 30, 2018: *Provided further*, That \$2,534,442,000 shall be for operations and maintenance, of which not to exceed \$180,200,000 shall remain available until September 30, 2018: *Provided further*, That \$471,269,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined

projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: *Provided further*, That of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution or any successor program, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs:

(1) Certifies in writing to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has met the requirements contained in the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113-66) which require that electronic health record systems of the Department of Defense and the Department of Veterans Affairs have reached interoperability, comply with national standards and architectural requirements identified by the DoD/VA Interagency Program Office in collaboration with the Office of National Coordinator for Health Information Technology;

(2) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs;

(3) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor program, and the associated implementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System to a new project delivery framework, the Veteran-focused Integration Process, that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated;

(4) submits to the Committees on Appropriations of both Houses of Congress a report outlining the strategic plan to reach interoperability with private sector healthcare providers, the timeline for reaching “meaningful use” as defined by the Office of National Coordinator for Health Information Technology for each data domain covered under the VistA Evolution program, and the extent to which the Department of Veterans Affairs leverages the State Health Information Exchanges to share health data with private sector providers; and

(5) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes the extent to which VistA Evolution, or any successor program, maximizes the use of commercially available software used by DoD and the private sector, requires an open architecture that leverages best practices and rapidly adapts to technologies produced by the private sector, enhances full interoperability between the VA and DoD and between VA and the private sector, and ensures the security of personally identifiable information of veterans and beneficiaries:

Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$160,106,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$528,110,000, of which \$448,110,000 shall remain available until September 30, 2021, and of which \$80,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: *Provided further*, That funds made available under this heading for fiscal year 2017, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2017; and (2) by the awarding of a construction contract by September 30, 2018: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That, of the amount made available under this heading, \$222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs

Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114-58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$372,069,000, to remain available until September 30, 2021, along with unobligated balances of previous “Construction, Minor Projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2017 for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: *Provided*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the “Medical Services” and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2016.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2017, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government

Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2017 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2017 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management and \$3,532,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliarys, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Service Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost vs. benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used

to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: *Provided*, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 214. Amounts made available under “Medical Services” are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the “Medical Services” and “Medical Community Care” accounts, to remain available until expended for the purposes of these accounts.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, Major Projects” and “Construction, Minor Projects” accounts, to

remain available until expended for the purposes of these accounts.

(RESCISSION OF FUNDS)

SEC. 218. Of the amounts appropriated in title II of division J of Public Law 114–113 under the heading “Medical Services” which become available on October 1, 2016, \$7,246,181,000 are hereby rescinded.

SEC. 219. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: *Provided*, That, at a minimum, the report shall include the direction contained in the explanatory statement described in section 4 in the matter preceding division A of the Consolidated Appropriations Act, 2016 Public Law 114–113 in title II of Division J of the consolidated Act in the paragraph entitled “Quarterly Report”, under the heading “General Administration”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2017 may be transferred to or from the “Information Technology Systems” account: *Provided*, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: *Provided further*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of title II of division J of Public Law 114–113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs which

become available on October 1, 2017, for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$280,802,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 226. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 227. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 229. The Secretary of Veterans Affairs shall submit to the Committees on Appropria-

tions of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days, disaggregated by initial and supplemental claims; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Provided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 230. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for “Medical Support and Compliance” a maximum of \$40,000,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 231. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

(INCLUDING TRANSFER OF FUNDS)

SEC. 232. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(RESCISSION OF FUNDS)

SEC. 233. Of the unobligated balances available within the “DOD-VA Health Care Sharing Incentive Fund”, \$52,000,000 are hereby rescinded.

SEC. 234. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 235. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 236. Paragraph (3) of section 403(a) of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended to read as follows:

“(3) DURATION.—A veteran may receive health services under this section during the period beginning on the date specified in paragraph (2) and ending on September 30, 2018.”

SEC. 237. (a) Section 1722A(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose.”

(b) Section 1710(g)(3) of such title is amended—

(1) by striking “with respect to home health services” and inserting “with respect to the following:”

“(A) Home health services”; and

(2) by adding at the end the following new subparagraph:

“(B) Education on the use of opioid antagonists to reverse the effects of overdoses of specific medications or substances.”

SEC. 238. Section 312 of title 38, United States Code, is amended in subsection(c)(1) by striking the phrase “that makes a recommendation or otherwise suggests corrective action.”

SEC. 239. The Department of Veterans Affairs is authorized to administer financial assistance grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.

SEC. 240. The Department of Veterans Affairs shall seek to enter into an agreement with the National Academy of Medicine for an assessment on research relating to the descendants of individuals with toxic exposure and to evaluate the feasibility of a research entity or entities to conduct research relating to health conditions of descendants of veterans with toxic exposure while serving in the Armed Forces.

SEC. 241. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2017 and fiscal year 2018 for “Medical Services”, \$3,000,000 in each year for carrying out and expanding to each medical center of the Department the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 242. Section 5701(l) of title 38, United States Code, is amended by striking “may” and inserting “shall”.

SEC. 243. (a) The Secretary of Veterans Affairs shall, as part of the hiring process for each health care provider considered for a position at the Department of Veterans Affairs after the date of the enactment of this Act, require from the medical board of each State in which the health care provider holds or has held a medical license—

(1) information on any violation of the requirements of the medical license of the health care provider; and

(2) information on whether the health care provider has entered into any settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider.

(b) The Secretary shall prescribe regulations to carry out this section.

SEC. 244. (a) Notwithstanding section 552a of title 5, United States Code, the Secretary of Veterans Affairs shall, with respect to each health care provider of the Department of Veterans Affairs that has violated a requirement of their medical license, provide to the medical board of each State in which the health care provider is licensed or practices all relevant information contained in the State Licensing Board Reporting File or any successor file of the Department with respect to such violation.

(b) The Secretary shall provide the information required in subsection (a) to a medical board described in such subsection notwithstanding that such board may not have formally requested such information from the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 245. Upon determination by the Secretary of Veterans Affairs that such action is necessary for providing health care, benefits and other services, the Secretary may transfer amounts made available to the Depart-

ment of Veterans Affairs for fiscal year 2017 by this Act between any discretionary appropriations accounts for fiscal year 2017: *Provided*, That amounts so transferred shall be merged with the account to which transferred: *Provided further*, That the total amount that the Secretary may transfer under this section may not exceed two percent of the total discretionary appropriations made available to the Department for fiscal year 2017 by this Act: *Provided further*, That a transfer of funds between the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts shall not be counted toward the two percent limitation in the previous proviso: *Provided further*, That the transfer authority provided by this section may be exercised only to support activities in an appropriations account that have a higher priority than those undertaken in the appropriations account from which budget authority is transferred, as determined by the Secretary: *Provided further*, That such transfer authority may not be used to provide budget authority for an activity that the Secretary lacks the authority to carry out: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

VA PATIENT PROTECTION ACT OF 2016

SEC. 246. (a) PROCEDURE AND ADMINISTRATION.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“§ 731. Whistleblower complaint defined

“In this subchapter, the term ‘whistleblower complaint’ means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“§ 732. Treatment of whistleblower complaints

“(a) FILING.—(1) In addition to any other method established by law in which an employee may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

“(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

“(b) NOTIFICATION.—(1)(A) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“(B) The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor and the central whistleblower office described in subsection (h) a written report on the complaint.

“(2)(A) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c).

“(B) In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official and to the central whistleblower office described in subsection (h).

“(c) POSITIVE DETERMINATION.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

“(d) FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-level supervisor who shall treat such complaint in accordance with this section.

“(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

“(3) A circumstance described in this paragraph is any of the following circumstances:

“(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

“(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

“(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

“(e) TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

“(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

“(2) give preference to the employee for such a transfer in accordance with such section.

“(f) PROHIBITION ON EXEMPTION.—The Secretary may not exempt any employee of the Department from being covered by this section.

“(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

“(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

“(A) An explanation of the purpose of the whistleblower complaint form.

“(B) Instructions for filing a whistleblower complaint as described in this section.

“(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

“(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 735(d).

“(E) Fields for the employee to provide—
 “(i) the date that the form is submitted;
 “(ii) the name of the employee;
 “(iii) the contact information of the employee;
 “(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and
 “(v) proposed solutions to the complaint.

“(F) Any other information or fields that the Secretary determines appropriate.

“(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

“(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The Secretary shall ensure that the central whistleblower office—

“(A) is not an element of the Office of the General Counsel;

“(B) is not headed by an official who reports to the General Counsel;

“(C) does not provide, or receive from, the General Counsel any information regarding a whistleblower complaint except pursuant to an action regarding the complaint before an administrative body or court; and
 “(D) does not provide advice to the General Counsel.

“(2) The central whistleblower office shall be responsible for investigating all whistleblower complaints of the Department, regardless of whether such complaints are made by or against an employee who is not a member of the Senior Executive Service.

“(3) The Secretary shall ensure that the central whistleblower office maintains a toll-free hotline to anonymously receive whistleblower complaints.

“(4) The Secretary shall ensure that the central whistleblower office has such staff and resources as the Secretary considers necessary to carry out the functions of the central whistleblower office.

“(5) In this subsection, the term ‘central whistleblower office’ means the Office of Accountability Review or a successor office that is established or designated by the Secretary to investigate whistleblower complaints filed under this section or any other method established by law.

“§ 733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints

“(a) IN GENERAL.—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against supervisory employees (as defined in section 7103(a) of title 5) whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

“(A) With respect to the first offense, an adverse action that is not less than a 12-day suspension and not more than removal.

“(B) With respect to the second offense, removal.

“(2)(A) An employee against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B)(i) An employee who is notified under subparagraph (A) of being the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) If the employee does not furnish any such evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the determination

to propose the adverse action, the Secretary shall carry out the adverse action following such 14-day period.

“(C) Paragraphs (1) and (2) of subsection (b) of section 7513 of title 5, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543 of such title, and subsection (c) of such section shall not apply with respect to an adverse action carried out under paragraph (1).

“(b) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

“(c) PROHIBITED PERSONNEL ACTION DESCRIBED.—A prohibited personnel action described in this subsection is any of the following actions:

“(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

“(A) filing a whistleblower complaint in accordance with section 732 of this title;

“(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

“(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 732 or with the Inspector General of the Department, the Special Counsel, or Congress;

“(D) participating in an audit or investigation by the Comptroller General of the United States;

“(E) refusing to perform an action that is unlawful or prohibited by the Department; or

“(F) engaging in communications that are related to the duties of the position or are otherwise protected.

“(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

“(3) Conducting a negative peer review or opening a retaliatory investigation because of an activity of an employee that is protected by section 2302 of title 5.

“(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

“§ 734. Evaluation criteria of supervisors and treatment of bonuses

“(a) EVALUATION CRITERIA.—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

“(2) The criteria described in this subsection are the following:

“(A) Whether the supervisor treats whistleblower complaints in accordance with section 732 of this title.

“(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 733(b) of this title by an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

“(b) BONUSES.—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title

or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

“(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

“(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

“(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

“(C) the supervisor is afforded notice and an opportunity for a hearing before making such repayment.

“§ 735. Training regarding whistleblower complaints

“(a) TRAINING.—Not less frequently than once each year, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower complaints, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

“(2) an explanation of prohibited personnel actions described by section 733(c) of this title;

“(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 732 of this title;

“(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

“(5) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once each year, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

“(2) The Secretary shall publish on the Internet website of the Department, the

whistleblower complaint form described in section 732(g)(2).

“§ 736. Reports to Congress

“(a) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary shall submit to the appropriate committees of Congress a report that includes—

“(1) with respect to whistleblower complaints filed under section 732 of this title during the year covered by the report—

“(A) the number of such complaints filed; and
“(B) the disposition of such complaints;

“(C) the ways in which the Secretary addressed such complaints in which a positive determination was made by a supervisor under subsection (b)(1) of such section;

“(2) the number of whistleblower complaints filed during the year covered by the report that are not included under paragraph (1), including—

“(A) the method in which such complaints were filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints; and

“(3) with respect to disclosures made by a contractor under section 4705 or 4712 of title 41—

“(A) the number of complaints relating to such disclosures that were investigated by the Inspector General of the Department of Veterans Affairs during the year covered by the report;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints.

“(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DETERMINATIONS.—Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the appropriate committees of Congress of such information, including the determination made by the Special Counsel.

“(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”

(2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”.

(B) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(i) by inserting before the item relating to section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

and

(ii) by adding at the end the following new items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“731. Whistleblower complaint defined.

“732. Treatment of whistleblower complaints.

“733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“734. Evaluation criteria of supervisors and treatment of bonuses.

“735. Training regarding whistleblower complaints.

“736. Reports to Congress.”

(b) TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.—

(1) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, as designated by section 2(a)(2)(A), is amended by adding at the end the following new section:

“§ 715. Congressional testimony by employees: treatment as official duty

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 2(a)(2)(B), is further amended by inserting after the item relating to section 713 the following new item:

“715. Congressional testimony by employees: treatment as official duty.”

SEC. 247. (a) Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account, for fiscal year 2017, not less than \$18,000,000, and for fiscal year 2018, not less than \$70,000,000, shall be used for the provision of fertility treatment and counseling, including treatment using assisted reproductive technology, to veterans and their spouses if the veteran has a service-connected condition that results in the veteran being unable to procreate without the use of such fertility treatment.

(b) In this section, the term “service-connected condition” means a condition that was incurred or aggravated in line of duty in the active military, naval, or air service (as defined in section 101 of title 38, United States Code).

SEC. 248. None of the amounts appropriated or otherwise made available by title II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code): *Provided*, That the Secretary may waive this prohibition with respect to the use of the Home Marketing Incentive Program and Appraisal Value Offer Program to recruit for a position for which recruitment or retention of qualified personnel is likely to be difficult in the absence of the use of these incentives: *Provided further*, That within 15 days of a determination by the Secretary to waive this prohibition, the Secretary shall submit written notification thereof to the Committees on Appropriations of both Houses of Congress containing the reasons and identifying the position title for which the waiver has been issued.

SEC. 249. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a medicinal marijuana program approved by a State;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

SEC. 250. (a) IN GENERAL.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (c)(1), the Secretary of Defense shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record is available, the Secretary of Defense shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary of Defense shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(b) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Defense pursuant to subsection (a)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(c) BENEFITS ALLOWED.—

(1) MEDALS, RIBBONS, AND DECORATIONS.—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(2) STATUS OF VETERAN.—An individual whose service is recognized as active duty pursuant to subsection (a) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition

of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000 to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,945,100: *Provided*, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,800,000 of which not to exceed \$28,000,000 shall remain available until September 30, 2019. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until

expended to support activities at the Army National Military Cemeteries.

TITLE IV GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 404. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 405. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 406. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 407. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 408. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301-10.122 through 301-10.124 of title 41, Code of Federal Regulations.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This Act may be cited as the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017".

SA 3897. Mr. MCCONNELL (for Mr. LEE (for himself, Mr. VITTER, Mr. COTTON, and Mr. SHELBY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. None of the funds made available by this Act may be used to carry out the final rule of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or to carry out the notice of the Department of Housing and Urban Development entitled "Affirmatively Furthering Fair Housing Assessment Tool" (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3898. Mr. MCCONNELL (for Mr. NELSON (for himself and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in Division B, insert the following:

TITLE _____ DEPARTMENT OF HEALTH AND HUMAN SERVICES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

FOOD AND DRUG ADMINISTRATION SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$10,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, and to develop necessary medical countermeasures and vaccines, including the review, regulation, and post market surveillance of vaccines and therapies, and administrative activities: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “CDC-Wide Activities and Program Support”, \$743,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the Public Health Service (“PHS”) Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall apply to the use of funds appropriated in this paragraph as determined by the Director of the Centers for Disease Control and Prevention (“CDC”) to be appropriate: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated in this paragraph may be used for acquisition of real property (including long-term ground leases) and equipment, and construction, demolition, or renovation of facilities, including construction on leased land: *Provided further*, That funds appropriated in this paragraph may be transferred by the Director of CDC to other accounts of the CDC for the purposes provided in this paragraph: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for “National Institute of Allergy and Infectious Diseases”, \$277,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such funds may be transferred by the Director of the National Institutes of Health (“NIH”) to other accounts of the NIH for the purposes provided in this paragraph: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part

of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund”, \$233,000,000, to remain available until expended, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for carrying out title III of the PHS Act and title V of the Social Security Act to provide health care and related services in areas affected by Zika virus: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds appropriated in this paragraph may be transferred to the fund authorized by section 319F-4 of the PHS Act: *Provided further*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus, other vector-borne diseases, or other infectious diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That funds may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That funds may be used for the alteration or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That funds appropriated in this paragraph may be transferred to other appropriations of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this paragraph: *Provided further*, That any transfers of these funds shall be made in consultation with the Office of Management and Budget: *Provided further*, That the transfer authority provided in this paragraph is in addition to

any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the amount appropriated in this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. ____01. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, or other infectious diseases and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this Act—

(1) to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries; and

(2) to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

SEC. ____02. Section 3304 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(g) The heads of the Department of Health and Human Services, Department of State, and the Agency for International Development may appoint, without regard to the provisions of sections 3309 through 3319, candidates needed for positions to perform critical work in direct response to a public health threat requiring an immediate response for which—

“(1) public notice has been given; and

“(2) the Secretary of Health and Human Services has determined that such a public health threat exists.”

SEC. ____03. Funds appropriated by this Act may be used to reimburse accounts administered by the Department of Health and Human Services for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

SEC. ____04. Funds appropriated to the Department of Health and Human Services in this Act may be transferred to and merged with other Federal accounts for purposes specified in this Act following consultation with the Office of Management and Budget: *Provided*, That such transfer authority shall be in addition to any other transfer authority provided by law: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation.

SEC. ____05. Section 319F-2(c)(1)(B) of the Public Health Service Act (42 U.S.C. 247d-6b(c)(1)(B)) is amended—

(1) in clause (i)(III)(bb), by striking “; or” and inserting a semicolon;

(2) in clause (ii), by striking the period and inserting “; or”; and

(3) by adding at the end the following new clause:

“(iii)(I) the Secretary determines to be a necessary countermeasure to diagnose, mitigate, prevent, or treat harm from any infectious disease that may pose a threat to the public health; and

“(II)(aa) is approved or cleared under chapter V of the Federal Food, Drug, and Cosmetic Act, or licensed under section 351 of this Act; or

“(bb) is a countermeasure for which the Secretary determines that sufficient and satisfactory clinical experience or research data (including data, if available, from pre-clinical and clinical trials) support a reasonable conclusion that the countermeasure will qualify for approval or licensing within 10 years after the date of a determination under subclause (I).”.

SEC. ____ 06. (a) The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to territories of the United States for the purpose of combating the Zika virus.

(b) To be eligible to receive a grant under this section, a territory shall submit to the Secretary a plan describing how the territory will use the grant funds. Within 30 days of receiving such a plan, the Secretary shall—

(1) approve any such plan that includes efforts for combating the Zika virus through education, prevention, testing, screening, treatment, services, or evaluation efforts; or

(2) disapprove any such plan that contains extraneous efforts not related to combating the Zika virus.

(c) To carry out this section, there are authorized to be appropriated, and there are appropriated, \$250,000,000 for fiscal year 2016. Any unobligated funds available on October 1, 2018, shall be returned to the general fund of the Treasury.

(d) For purposes of this section, the term “territory” means Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.

(e) Amounts made available to carry out this section shall be designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

TITLE ____

DEPARTMENT OF STATE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$2,419,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Services”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support the response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for “Global Health Programs”, \$325,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That funds appropriated under this heading may be made available for multi-year funding commitments to incentivize the development of global health technologies: *Provided further*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

INTERNATIONAL SECURITY ASSISTANCE DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINEING AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, \$8,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amounts shall be available only if the President subsequently so designates such amounts and transmits such designation to the Congress.

GENERAL PROVISIONS

TRANSFER AUTHORITY

SEC. ____ 01. (a) Funds appropriated by this title under the headings “Global Health Programs”, “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(b) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this Act.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

REIMBURSEMENT AUTHORITY

SEC. ____ 02. Funds appropriated by this Act may be used to reimburse accounts administered by the United States Agency for International Development and the Department of State for obligations incurred for Zika virus response prior to the date of the enactment of this Act.

AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS

SEC. ____ 03. Section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PERSONAL SERVICE CONTRACTORS

SEC. ____ 04. Funds available in this Act to support response efforts related to the Zika virus and related health outcomes, other

vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)) in the United States or abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

SA 3899. Mr. McCONNELL (for Mr. CORNYN (for himself, Mr. JOHNSON, and Mr. RUBIO)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of Division B, insert the following:

DIVISION —ZIKA FUNDING

TITLE I

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

HEALTH RESOURCES AND SERVICES

ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for “Primary Health Care”, \$40,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act, including outreach, education, and screening in Puerto Rico and other territories: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be used for providing primary health services in areas affected by Zika virus or other vector-borne diseases, for assigning National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and for making NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for “Maternal and Child Health”, \$5,000,000 to remain avail-

able until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, nec-

essary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus shall, in this and subsequent fiscal years, be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this title to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. 102. Funds appropriated by this title may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. 103. Funds appropriated in this title may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this title following consultation with the Office of Management and

Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this title may be transferred pursuant to the authority in section 206 of division G of Public Law 113-325 or section 241(a) of the PHS Act.

SEC. 104. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

TITLE II

DEPARTMENT OF STATE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Services”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support the response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT GLOBAL HEALTH PROGRAMS

For an additional amount for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this title may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINE AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, \$4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated in this Act: *Provided further*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE (INCLUDING TRANSFER OF FUNDS)

SEC. 201. (a) Funds appropriated by this title under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(b) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not

necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. 202. Funds appropriated by this title that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. 203. Not later than 45 days after the date of enactment of this Act and prior to the obligation of funds made available by this title to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. 204. Of the funds appropriated by this title, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this title with funds appropriated by this title: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. 205. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

SEC. 301. Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) MOSQUITO CONTROL WAIVER.—Notwithstanding any other provision of this section, the Administrator (or a State, in the case of a permit program approved under subsection (b)) shall not require a permit for a discharge from the application by an entity authorized under State or local law, such as a vector control district, of a pesticide in compliance with all relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) to control mosquitos or mosquito larvae to protect the public health and welfare, including for the prevention or control of the Zika virus, West Nile virus, or dengue fever. The Administrator shall not directly or indirectly require any State to require such a permit.”.

TITLE IV

GENERAL PROVISIONS—THIS ACT

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. 401. Unless otherwise provided for by this division, the additional amounts appropriated pursuant to this division for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. 402. Funds made available by this division to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. 403. Each amount designated in this division by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to Congress.

RESCISSION

SEC. 404. From amounts appropriated for the Prevention and Public Health Fund under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11)—

(1) for fiscal year 2017, \$1,000,000,000 shall be rescinded on the date on which such amounts are available for obligation; and

(2) for fiscal year 2018, \$200,000,000 shall be rescinded on the date on which such amounts are available for obligation.

SHORT TITLE

SEC. 405. This division may be cited as the “Emergency Supplemental Appropriations for Zika Response and Preparedness Act, 2016”.

SA 3900. Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) proposed an amendment to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division B, insert the following:

TITLE

ZIKA RESPONSE AND PREPAREDNESS
CHAPTER 1DEPARTMENT OF HEALTH AND HUMAN
SERVICESHEALTH RESOURCES AND SERVICES
ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for “Primary Health Care”, \$40,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and

internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for “Maternal and Child Health”, \$5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND
PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Pro-*

vided further, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND
INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is

designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. _____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. _____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. _____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113-325 or section 241(a) of the PHS Act.

SEC. _____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency

for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Service”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for “Nonproliferation, Anti-terrorism,

Demining and Related Programs”, \$4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017 for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. _____. (a) Funds appropriated by this chapter under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. _____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. _____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the

USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. _____. Of the funds appropriated by this chapter, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. _____. Of the unobligated balances available under the heading "Operating Expenses" in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. _____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. _____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. _____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. _____. This title shall become effective immediately upon enactment of this Act.

SA 3901. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and

Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, line 14, strike "2018" and insert "2019,".

SA 3902. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of Division B, add the following:

EXTENSION OF VETERANS CHOICE PROGRAM

SEC. 251. (a) IN GENERAL.—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking "3 years" and inserting "6 years"; and

(2) in section 802(d)(1), by striking "\$10,000,000,000" and inserting "\$17,500,000,000".

(b) EMERGENCY DESIGNATIONS.—(1) Subsection (a) is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) In the Senate, subsection (a) is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 3903. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, after line 21, add the following:

SEC. 119J. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) In the report required by subsection (a), the Comptroller General shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of

this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

SA 3904. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division B, insert the following:

REPROGRAMMING OF FUNDS

SEC. _____. (a) IN GENERAL.—Notwithstanding any other provision of law, not to exceed \$1,100,000,000 of the unobligated balances of amounts made available to the Department of State, the United States Agency for International Development, and the Department of Health and Human Services for fiscal year 2015, or any fiscal year before fiscal year 2015, that remain available for obligation may be transferred or reprogrammed by the head of the applicable agency for use to prevent, prepare for, or respond to the Zika virus.

(b) NOTIFICATION AND CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Not later than 15 days prior to the transfer or reprogramming of funds made available pursuant to subsection (a) or section 7058(c) of the Consolidated Appropriations Act, 2016 (Public Law 114-113)—

(A) the Director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming made pursuant to subsection (a) shall not result in an increase in outlays over the period of fiscal years 2016 through 2021; and

(B) the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees a multi-year spending plan that specifies the proposed uses of such funds.

(2) SPENDING PLAN.—The spending plan submitted under paragraph (1)(B) shall include—

(A) the objectives, indicators to measure progress, and a timeline to implement a successful strategy to respond to the Zika virus;

(B) the amounts intended to be transferred or reprogrammed pursuant to this Act, that are made available from prior Acts making appropriations for—

(i) the Department of State, foreign operations, and related programs to support such strategy; and

(ii) the Department of Labor, Health and Human Services, Education, and related agencies;

(C) a description of how any foreign assistance planned to be transferred or reprogrammed pursuant to subsection (a) will differ from, complement, and leverage funds allocated by—

(i) each government for countries in which the United States will use funds authorized by this Act; and

(ii) other governmental, nongovernmental, and intergovernmental donors; and

(D) a description of—

(i) the resources each government described in subparagraph (C)(i) possess to prevent, prepare for, and respond to the Zika virus; and

(ii) the political will of each government described in subparagraph (C)(i) to use the resources described in clause (i).

(c) FOLLOW UP REPORT.—Not later than November 30, 2017, the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees, a report that contains a full accounting, on a program level, of funds transferred or reprogrammed pursuant to subsection (a). Such report shall, to the greatest extent practicable, contain a comparison of the full accounting contained in the report to the original spending plan described in subsection (b)(2).

(d) LIMITATION ON AUTHORITY.—The authority provided in the section to reprogram and expend funds shall terminate on September 30, 2017.

(e) DEFINITION.—In this section, the term “appropriate Congressional committees” means the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Government Reform of the House of Representatives.

SA 3905. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) severe forms of trafficking in persons or sex trafficking, as those terms are defined in paragraphs (9) and (10), respectively, of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

(B) child pornography, as defined in section 2256 of title 18, United States Code.

SA 3906. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in Division A, insert the following:

SEC. _____. **NO BUDGET, NO PAY.**

(a) **SHORT TITLE.**—This section may be cited as the “No Budget, No Pay Act”.

(b) **DEFINITION.**—In this section, the term “Member of Congress”—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) **TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(d) **NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e).

(2) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e), at any time after the end of that period.

(e) **DETERMINATIONS.**—

(1) **SENATE.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under clause (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Senators may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) **HOUSE OF REPRESENTATIVES.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clauses (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) **EFFECTIVE DATE.**—This section shall take effect on February 1, 2017.

SA 3907. Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, strike lines 3 through 11 and insert the following:

SEC. 120. (a) For fiscal year 2017, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for—

(A) administrative expenses and programs by section 104(a) of title 23, United States Code;

(B) the Bureau of Transportation Statistics; and

(C) the programs under sections 203 and 204 of title 23, United States Code;

On page 37, between lines 8 and 9, insert the following:

(f) **ADDITIONAL FUNDS FOR NATIONAL PARK SERVICE.**—

(1) **IN GENERAL.**—

(A) **RESERVATION OF FUNDS.**—Not later than 30 days after the date of distribution of the obligation limitation under subsection (a), the Secretary shall reserve for the use of the National Park Service any funds that—

(i) are authorized to be appropriated for the fiscal year for the programs under sections 203 and 204 of title 23, United States Code; and

(ii) but for subsection (a)(1)(C), the Secretary would have distributed to the States under subsection (e).

(B) **AVAILABILITY OF FUNDS.**—Funds reserved under subparagraph (A) shall be available for any purpose described in section 203 of title 23, United States Code.

(2) **OBLIGATION LIMITATION.**—Of the obligation limitation that the Secretary reserves under subsection (a)(1)(C), the Secretary shall make available for use with the funds under paragraph (1) an amount of obligation limitation equal to the amount of funds reserved under that paragraph.

(3) **OTHER FUNDS AND OBLIGATION LIMITATION.**—Any funds reserved under paragraph (1), and any obligation limitation made available under paragraph (2), shall be in addition to funds or an obligation limitation otherwise made available to the National Park Service under section 203 or 204 of title 23, United States Code.

SA 3908. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other

purposes; which was ordered to lie on the table; as follows:

On page 15, line 25, strike “airport” and insert the following: “airport: *Provided further*, That an amount not to exceed \$2,000,000 shall be available for use to revise existing third class medical certification regulations such that a general aviation pilot is authorized to operate an aircraft authorized under Federal law to carry not more than 6 occupants and with a maximum certificated takeoff weight of not more than 6,000 pounds if the pilot has held a third class medical certificate issued by the Federal Aviation Administration in the preceding 10 years, has completed an on-line medical education course in the preceding 2 years, has received a medical examination by a State-licensed physician in the preceding 4 years, and is under the care and treatment of a physician as directed”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2016, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., to conduct a hearing entitled “Examining America’s Role in the World.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 12, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on May 12, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 12, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2016, at 9 a.m., to conduct a hearing entitled, “Examining Due Process in Administrative Hearings.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MARKEY. Mr. President, I ask unanimous consent that the following congressional fellows in my office be given floor privileges for the remainder of this session: Elyssa Hesky, Jeanette Roberts, Karen Paczkowski, Alec Bogdanoff, Angela Cervetti and Hugh O’Donnell.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNING THE TERRORIST ATTACKS IN BRUSSELS AND HONORING THE MEMORY OF THE UNITED STATES CITIZENS MURDERED IN THOSE ATTACKS

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 452, S. Res. 442.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 442) condemning the terrorist attacks in Brussels and honoring the memory of the United States citizens murdered in those attacks, and offering thoughts and prayers for all the victims, condolences to their families, resolve to support the Belgian people, and the pledge to defend democracy and stand in solidarity with the country of Belgium and all our allies in the face of continuing terrorist attacks on freedom and liberty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 442) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 27, 2016, under “Submitted Resolutions.”)

RECOGNIZING THE 195TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Calendar No. 449, S. Res. 394.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 394) recognizing the 195th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 394) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 9, 2016, under “Submitted Resolutions.”)

AMENDING THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE NATIONAL ESTUARY PROGRAM

Mr. SASSE. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1523.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1523) entitled “An Act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes,” do pass with an amendment.

Mr. SASSE. I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEMORY AND SERVICE OF OMAHA POLICE OFFICER KERRIE OROZCO

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 463, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 463) honoring the memory and service of Omaha Police Officer Kerrie Orozco.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Mr. President, I rise today to honor the life of Officer Kerrie Orozco of the Omaha Police Department. This month will mark the 1-year anniversary of the officer’s death. I would like to take a few minutes to remember her life and celebrate the legacy of this brave young woman who died in the line of duty.

Officer Kerrie Orozco was born on September 19, 1985, in Walnut, IA. Walnut is a small town about an hour east of Omaha and the place where Kerrie's devotion to community and public service began at an early age. Her mother, Ellen Holtz, remembers Kerrie as a leader from the start, recalling that "she was my oldest, but had the best sense of humor and kind of took care of her brothers and sisters." She was also active in sports, music, and volunteer groups. Her high school alumni volleyball team called themselves the Wolf Pack.

Leadership and service were in her blood. Kerrie's aunt, Laurie McNeil, said Kerrie always wanted to be a cop. "She was just a doer," Laurie remembered in an interview with Omaha's WOWN last year. "Whether it was church, 4-H, everything she was involved in, she gave 100 percent."

Faith was also deeply ingrained in Kerrie, whom Aunt Laurie called a "very strong Catholic girl" who was always smiling. Putting it simply, Kerrie "was a saint," her aunt said.

Kerrie's natural instinct for leadership and service led her to join the police force in 2007. This decision had a special place in Kerrie's heart because of a promise she made to her father. Earlier that year her father fell gravely ill, and by the fall it became clear that he would not recover. Kerrie made a promise to him in those final moments of his life that she would make him proud. Two months later, in December of 2007, she joined the academy.

During the next 7 years, as an officer with the Omaha Police Department, Kerrie became active in the community she protected. She volunteered with the Special Olympics and helped raise funds as president of the Police Officers Ball. She led a Girl Scout troop and took part in area events like Shop With a Cop. For years, Officer Orozco was also known as "Coach K" to the baseball team she led through the North Omaha Boys and Girls Club. This devotion to so many people in the Omaha community earned Kerrie the police department's Outstanding Volunteer Service Award last year.

Her love of these children was unmatched by the love of her own family, particularly her husband Hector and his two children. In February of 2015, they welcomed the birth of their first child together, a daughter named Olivia. Their daughter was born premature, and Kerrie postponed her maternity leave while Olivia remained in the prenatal care unit.

Three months later, on May 20, 2015, Officer Orozco was preparing to serve an arrest warrant as a member of the department's Metro Area Fugitive Task Force. When her team arrived, the suspect opened fire and Kerrie was hit. She was rushed to Creighton University Medical Center, where she died shortly thereafter. Officer Kerrie Orozco was 29 years old and was 1 day away from going on maternity leave to care for her new daughter, who had just been released from the hospital after 3 months of prenatal care.

She was the first female officer of the Omaha Police Department to die in the line of duty. Thousands of people from Nebraska, Iowa, and beyond braved the rain to line the streets for her funeral procession and honor the officer who gave her life for her fellow citizens.

This month marks the first anniversary of her death, but her memory and service to Omaha live on in all our hearts. Her mother Ellen said she often comes home to find gifts in honor of Kerrie, sometimes without any idea of whom they are from.

The Omaha Police Department considers itself a united family, and in the year since Kerrie's death, the common refrain of "Kerrie On" has been referenced time and time again to honor her spirit, legacy, and memory.

Several of her family members, as well as her colleagues and members of the Omaha First Responders Foundation, are here this week to honor Officer Orozco in our Nation's Capital. I join them and all Nebraskans to celebrate the life and legacy of a truly great person, a proud police officer, and a beloved wife and mother. Officer Kerrie Orozco represents the best of Nebraska and our Nation, and she will ever inspire us to "Kerrie On."

Mr. SASSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 463) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMEMORATING THE 75TH ANNIVERSARY OF THE ALASKA STATE TROOPERS

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of S. Res. 464, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 464) commemorating the 75th anniversary of the Alaska State Troopers.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 464) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MAY 16, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, May 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business the Senate proceed to executive session, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MAY 16, 2016, AT 2 P.M.

Mr. SASSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Monday, May 16, 2016, at 2 p.m.